Ireland. Laws, statutes, etc. Compilations

THE

STATUTES

AT LARGE,

PASSED IN THE

PARLIAMENTS

HELD IN

IRELAND:

FROM

The Third Year of EDWARD the Second, A. D. 1310,

TO THE

Sixteenth Year of GEORGE the Third, A. D. 1776, inclusive.

WITH

MARGINAL NOTES, and a Complete

CONTINUED TO THE

Twenty sixth Year of GEORGE the Third, A. D. 1785, inclusive.

HARVARD LAW SCHOOL LIBRARY

PUBLISHED BY AUTHORITY.

IN THIRTEEN VOLUMES.

IRE
202
STA

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the King's Most Excellent Majesty. MDCCLXXXVI.

Inv
132
786

THE

STATUTES

AT LARGE,

PASSED IN THE

PARLIAMENTS

HELD IN

IRELAND.

VOL. XI.

CONTAINING

All the STATUTES that have paſſed from the Seventeenth Year of GEORGE the Third, to the Twentieth Year, inclusive.

PUBLISHED BY AUTHORITY.

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the King's Moſt Excellent Majeſty. M DCC LXXXVI.

THE STATUTES AT LARGE,

PASSED IN THE

PARLIAMENTS

HELD IN

IRELAND.

VOL. XI.

CONTAINING

All the STATUTES that have passed since the Seventeenth Year of GEORGE the Third, to the Twenty-fifth Year, inclusive.

PUBLISHED BY AUTHORITY.

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the Kings most Excellent Majesty. M,DCC,LXXXV.

THE CONTENTS OF THE ELEVENTH VOLUME.

The Sixteenth year of GEORGE III.

AN act for continuing an act, *intitled*, An act for allowing further time to perſons in offices or employments, to qualify themſelves, purſuant to an act, *intitled*, An act to prevent the further growth of popery. Page 1

The ſeventeenth and eighteenth years of George III.

CHAP. I.

An act for granting unto his Majeſty an additional duty on beer, ale, ſtrong waters, wine, tobacco, hides, and other goods and merchandizes therein mentioned; and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns, except of the manufacture of Great Britain. Page 3

CHAP. II.

An act for granting unto his majeſty the ſeveral duties, rates, impoſitions and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed, and for ſuch other Purpoſes as are therein mentioned. 13

CHAP. III.

An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper. 29

CHAP. IV.

An act for granting to his Majeſty an additional duty upon the ſeveral goods and merchandizes therein mentioned. 45

CHAP.

CHAP. V.

An act for allowing further time to perſons in offices or employments to qualify themſelves purſuant to an act, *intitled*, An act to prevent the further growth of popery. Page 46

CHAP. VI.

An act for licenſing hawkers and pedlars, and for the encouragement of Engliſh proteſtant ſchools. 47

CHAP. VII.

An act to continue an act, *intitled*, An act to amend an act paſſed in the third year of his preſent Majeſty, *intitled*, An act for continuing the encouragement given by former acts of parliament to the flaxen and hempen manufactures. 52

CHAP. VIII.

An act for the improvement of his Majeſty's revenue, and the more effectually preventing of frauds therein; and for continuing and amending ſeveral laws heretofore made and now in force relative thereto. 53

CHAP. IX.

An act to authorize for a limited time the puniſhment by hard labour of offenders, who for certain crimes are or ſhall become liable to be tranſported to any of his Majeſty's colonies and plantations. 73

CHAP.

CHAP. X.

An act for making and keeping in repair a circular road round the city of Dublin. Page 83

CHAP. XI.

An act for continuing and amending an act paſſed in the fourteenth year of his preſent Majeſty's reign, *intitled*, An act to prevent malicious cutting and wounding, and to puniſh offenders called chalkers. 100

CHAP. XII.

An act for incorporating the charitable muſical ſociety for lending out money intereſt free to indigent and induſtrious tradeſmen. 101

CHAP. XIII.

An act for eſtabliſhing a militia in this kingdom. 109

CHAP. XIV.

An act for the relief of inſolvent debtors. 127

CHAP. XV.

An act to enable teſtamentary guardians of minors to make leaſes for the purpoſe of building county infirmaries and hoſpitals on the eſtates of ſuch minors, ſubject to the reſtrictions herein after mentioned. 149

CHAP.

CHAP. XVI.

An act for granting and continuing to his Majesty the several duties, rates, and impositions therein mentioned, for the use of the corporation for promoting and carrying on an inland navigation in Ireland. Page 150

CHAP. XVII.

An act to amend and continue an act passed in the thirteenth and fourteenth years of his present Majesty, *intitled*, An act for the better regulation of the baking trade in the city of Dublin, and for other purposes. 154

CHAP. XVIII.

An act for the further encouragement of the whale fisheries carried on from Ireland. 165

CHAP. XIX.

An act for the better preservation of fish in rivers, lakes, and inland waters. 170

CHAP. XX.

An act to explain and amend the acts made for the encouragement of the fisheries of this kingdom, and for promoting the good ends proposed by said laws. 176

CHAP. XXI.

An act to explain and amend an act passed in the third year of the reign of his present Majesty, *intitled*, An act for the better regulation of the linen and hempen manufactures. 183

CHAP. XXII.

An act to explain and amend an act paſſed in the thirteenth and fourteenth years of the reign of his preſent Majeſty, *intitled*, An act for amending the publick roads Page 197

CHAP. XXIII.

An act to amend an act, *intitled*, An act for enforcing a due execution of the laws relative to turnpike roads in this kingdom. 202

CHAP. XXIV.

An act to prevent the miſchiefs that ariſe from driving cattle within the city of Dublin and liberties thereof. 203

CHAP. XXV.

An act to explain the ſtatute of the twenty eighth year of Henry the eighth, *intitled*, The act of faculties. 209

CHAP. XXVI.

An act to amend an act paſſed in the eleventh year of the reign of his preſent Majeſty, *intitled*, An act to regulate the trials of controverted elections or returns of members to ſerve in parliament. 210

CHAP. XXVII.

An act to direct the application of the ſum of five thouſand pounds granted this ſeſſion to the commiſſioners appointed by act of parliament for making wide and convenient paſſages through the city of Dublin, and for the further improvement thereof. 211

CHAP.

CHAP. XXVIII.

An act for preſerving the health of priſoners in gaol, and preventing the gaol diſtemper. Page 213

CHAP. XXIX.

An act for explaining a doubt, ariſing upon the laws for ſupplying the city of Dublin with corn and flour; and alſo for leſſening the expences of ſupplying the ſaid city with the articles aforeſaid. 214

CHAP. XXX.

An act to continue an act paſſed in the eleventh year of his preſent Majeſty's reign, *intitled*, An act to oblige ſhips more effectually to perform their quarantine, and for the better preventing the plague being brought from foreign parts into Ireland, and to hinder the ſpreading of infection. 215

CHAP. XXXI.

An act for continuing an act, *intitled*, An act for amending an act paſſed in the twenty ninth year of the reign of his late Majeſty king George the ſecond, *intitled*, An act for the further encouragement of tillage. 216

CHAP. XXXII.

An act for regulating the price and aſſize of bread, and preventing frauds and impoſitions in the ſale of flour, meal, beer, ale, potatoes, butcher's meat, and other articles ſold by weight or meaſure in the county of Dublin. *ibid.*

CHAP.

CHAP. XXXIII.

An act for preventing the cutting or deſtroying of plain, ſtained, or printed linens, cottons, lawns, or muſlins, or any other manufactured goods. Page 221

CHAP. XXXIV.

An act for the encouragement of tillage, and rendering the carriage of corn to the city of Dublin leſs expenſive. 222

CHAP. XXXV.

An act to explain and amend an act, paſſed in the ſixth year of the reign of his preſent Majeſty, *intitled*, An act for encouraging the planting of timber trees. 226

CHAP. XXXVI.

An act for reviving and continuing ſeveral temporary ſtatutes. 228

CHAP. XXXVII.

An act for continuing and amending an act paſſed in the fifteenth and ſixteenth years of the reign of his preſent Majeſty, *intitled*, An act for continuing an act paſſed in the ſeventh year of the reign of his late Majeſty king George the ſecond, *intitled*, An act for making more effectual an act paſſed in the third year of the reign of his late Majeſty king George the ſecond, *intitled*, An act for repairing the road leading from the city of Dublin to the town of Navan in the county of Meath, and for repairing the road leading from the ſaid town of Navan to the town of Nobber in the ſaid county; and alſo for repairing the road leading from the ſaid town of Navan to the town of Kells in the ſaid county. 233

CHAP.

CHAP. XXXVIII.

An act for the better regulation of the police of the city of Cork, and for other purpoſes relative to the ſaid city. 235

CHAP. XXXIX.

An act for altering, amending, and making more effectual an act for repairing the road leading from the town of Nenagh in the county of Tipperary, through the towns of Birr and Firbane in the King's county, to Curranaboy bridge on the turnpike road leading to Athlone in the county of Weſtmeath; and alſo for other purpoſes therein mentioned. 248

CHAP. XL.

An act for repairing the road leading from the town of Maryborough in the Queen's county, through the towns of Montrath, Caſtletown, and Borris in Oſſory in the ſame county, and from thence through the town of Roſcrea in the county of Tipperary, and through the town of Dunkerrin in the King's county to the town of Tomivarah in the ſaid county of Tipperary. 262

CHAP. XLI.

An act for granting unto his Majeſty, his heirs and ſucceſſors, certain duties therein contained, and for the further advancement of the trade of this kingdom. 278

CHAP. XLII.

An act for the advancement of the trade of this kingdom. 281

CHAP. XLIII.

An act for improving the police of the city of Dublin. 285

CHAP. XLIV.

An act to enable the chief juſtice, or other juſtice of his Majeſty's court of king's bench, or the chief juſtice or other juſtice of his Majeſty's court of common pleas, in the abſence of the lord chief baron of the court of exchequer, to ſwear the lord mayor of the city of Dublin into his office. 288

CHAP. XLV.

An act for the amendment of the law with reſpect to outlawries, returning ſpecial juries, and the future effects of bankrupts in certain caſes. ibid.

CHAP. XLVI.

An act for the further improvement of the city of Dublin in the manner therein mentioned. 292

CHAP. XLVII.

An act for aſcertaining the boundaries of the pariſh of Saint Mary's on the north eaſt ſide thereof, and preventing inconveniencies ariſing from the uncertain ſtate of the ſame; and for aſcertaining the boundaries between the county of the city of Dublin and the county of Dublin in ſome places, where the ſame are uncertain, and thereby preventing perſons guilty of offences therein from eſcaping the puniſhment of the law. 293

CHAP.

CHAP. XLVIII.

An act to exclude traders from the benefit of an act, *intitled, An act to prevent frauds committed by bankrupts* who do not keep regular books of account, and for continuing the ſaid law, and other purpoſes. 296

CHAP. XLIX.

An act for the relief of his Majeſty's ſubjects of this kingdom profeſſing the popiſh religion. 298

The nineteenth and twentieth Years of GEORGE III.

CHAP. I.

An act for granting unto his Majeſty an additional duty on beer, ale, ſtrong waters, wine, tobacco, hides, and other goods and merchandizes therein mentioned; and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns (except of the manufacture of Great Britain.) 303

CHAP. II.

An act for granting unto his Majeſty the ſeveral duties, rates, impoſitions and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed, and for other purpoſes as are therein mentioned. 311

CHAP.

CHAP. III.

An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper. 333

CHAP. IV.

An act for the advancement of the trade of this Kingdom. 349

CHAP. V.

An act for eſtabliſhing a lottery, and for granting to his Majeſty a ſum of two hundred thouſand pounds to be raiſed thereby, and for ſuch other purpoſes as are therein mentioned. 353

CHAP. VI.

An Act for the relief of his Majeſty's faithful ſubjects the proteſtant diſſenters of this kingdom; and to repeal a clauſe in the act of the ſecond of Queen Ann, *intitled*, An act to prevent the further growth of popery, as far as the ſame relates to the proteſtant diſſenters. 373

CHAP. VII.

An act for granting unto his Majeſty an additional duty on beer, ale, wine, tobacco, hides, and other goods and merchandizes therein mentioned; and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns, (except of the manufacture of Great Britain) and of all hops, except of the growth of Great Britain and the Britiſh plantations. 374

CHAP.

CHAP. VIII.

An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper. 386

CHAP. IX.

An act for licenſing hawkers and pedlars, and for the encouragement of Engliſh proteſtant ſchools. 402

CHAP. X.

An act for granting unto his Majeſty the ſeveral duties, rates, impoſitions and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed and for ſuch other purpoſes as are therein mentioned. 407

CHAP. XI.

An act for the advancement of trade, and for granting to his Majeſty, his heirs and ſucceſſors, the ſeveral duties therein mentioned 422

CHAP. XII.

An act for continuing and amending ſeveral laws relating to his Majeſty's revenue, and for the more effectually preventing of frauds therein; and for ſuch other purpoſes as are therein mentioned. 461

CHAP. XIII.

An act for explaining and amending an act paſſed in the fifteenth and ſixteenth years of the reign of George the third, *intitled*, An act for the better regulating the pipe-water of the city of Dublin. 504

CHAP. XIV.

An act for reviving, continuing, and amending ſeveral temporary ſtatutes. 513

CHAP. XV.

An act for continuing ſeveral temporary ſtatutes; and for amending an act paſſed in the eleventh and twelfth years of the reign of his preſent Majeſty, for the better paving, cleanſing, lighting, altering, and improving Sackville-ſtreet, and Marlborough-ſtreet in the city of Dublin, and the lanes and avenues leading unto the ſame reſpectively; and for enabling the corporations for badging the poor within the county of Waterford and the county of the city of Waterford to unite and become one corporation; and alſo for eſtabliſhing a body corporate within the town and pariſh of Liſburn in the county of Antrim, for the better ſupport and government of the poor within the ſaid town and pariſh. 518

CHAP. XVI.

An act for the better accommodation and regulation of his Majeſty's army in this kingdom. 523

CHAP.

CHAP. XVII.

An act for the better regulating the corn trade of this kingdom. 542

CHAP. XVIII.

An act to empower grand juries to contract for keeping the publick roads in repair. 547

CHAP. XIX.

An act to prevent combinations, and for the further encouragement of trade. 549

CHAP. XX.

An act for the better regulation of the woollen manufacture of this kingdom. 558

CHAP. XXI.

An act to amend and continue an act paſſed in the ſeventeenth and eighteenth years of the reign of his preſent Majeſty, *intitled*, An act to amend and continue an act paſſed in the thirteenth and fourteenth years of his preſent Majeſty, *intitled*, An act for the better regulation of the baking trade in the city of Dublin, and for other purpoſes. 568

CHAP. XXII.

An act to amend a miſtake in an act paſſed in the thirteenth and fourteenth years of his preſent Majeſty, *intitled*, An act for amending the publick roads. 569

CHAP.

CHAP. XXIII.

An act for regulating and extending the tobacco trade. 570

CHAP. XXIV.

An act for the better regulation of the ſilk manufacture. 589

CHAP. XXV.

An act to explain an act, *intitled*, An act to prevent frauds committed by bankrupts. 597

CHAP. XXVI.

An act for amending the acts of the ſecond and eighth years of the reign of his late Majeſty king George the firſt, and of the firſt year of his late Majeſty king George the ſecond, for recovery of ſmall debts in a ſummary way by civil bill, as far as they relate to the county of Dublin. 603

CHAP. XXVII.

An act to prevent the infliction of the puniſhment of whipping under an act paſſed in the eleventh and twelfth years of his preſent Majeſty, *intitled*, An act for the regulation of the city of Cork, and for other purpoſes therein mentioned relative to the ſaid city, without firſt having the perſon on whom ſuch puniſhment ſhall be inflicted convicted by a jury. 604

CHAP. XXVIII.

An act for the relief of perſons who have omitted to qualify themſelves according to law. 606

CHAP.

CHAP. XXIX.

An act for naturalizing ſuch foreign merchants, traders, artificers, artizans, manufacturers, workmen, ſeamen, farmers, and others, as ſhall ſettle in this kingdom. Page 607

CHAP. XXX.

An act for the relief of tenants holding under leaſes for lives containing covenants for perpetual renewals. 609

CHAP. XXXI.

An act for licenſing and regulating lottery offices, and for other purpoſes therein mentioned. 611

CHAP. XXXII.

An act for amending and explaining the ſeveral laws made in this kingdom for carrying on the Lagan navigation. 621

CHAP. XXXIII.

An act for granting bounties on the export of certain ſpecies of the linen and hempen manufactures of this kingdom therein enumerated; and for repealing the bounties on flaxſeed imported, and for encouraging the growth thereof in this kingdom. 636

CHAP. XXXIV.

An act to continue and amend an act paſſed in the ſeventeenth and eighteenth years of the reign of his preſent Majeſty, *intitled*, An act for the encouragement of tillage, and rendering the carriage of corn to the city of Dublin leſs expenſive. 644

CHAP. XXXV.

An act for regulating the ſugar trade, and granting to his Majeſty, his heirs and ſucceſſors, the duties therein mentioned. Page 646

CHAP. XXXVI.

An act for regulating the curing and preparing proviſions, and for preventing combinations among the ſeveral tradeſmen and other perſons employed in making up ſuch proviſions; and for regulating the butter trade in the city of Dublin, and for other purpoſes therein mentioned. 653

CHAP. XXXVII.

An act to prevent the deteſtable practices of houghing cattle, burning of houſes, barns, haggards, and corn, and for other purpoſes. 667

CHAP. XXXVIII.

An act to prevent vexatious and frivolous arreſts, and for other purpoſes. 669

CHAP. XXXIX.

An act for explaining an act made in the eighth year of the reign of her late Majeſty queen Anne, *intitled*, An act for explaining and amending an act to prevent the further growth of popery, ſo far only as the ſame makes a proviſion for the maintenance of popiſh prieſts converted to the proteſtant religion. 673

CHAP.

CHAP. XL.

An act for the relief of perſons in actual cuſtody for debt. Page 675

CHAP. XLI.

An act for empowering grand juries to preſent bridges and tolls to be paid for paſſing the ſame in certain caſes. 684

CHAP. XLII.

An act for regulating the baking trade in the city of Cork. 691

CHAP. XLIII.

An act for continuing, altering, amending, and making more effectual an act of parliament made and paſſed in the ſeventeenth and eighteenth years of the reign of his preſent Majeſty, *intitled*, An act for continuing and amending an act paſſed in the fifteenth and ſixteenth years of the reign of his preſent Majeſty, *intitled*, An act for continuing an act paſſed in the ſeventh year of the reign of his late Majeſty king George the ſecond, *intitled*, An act for making more effectual an act paſſed in the third year of the reign of his late Majeſty king George the ſecond, *intitled*, An act for repairing the road leading from the city of Dublin to the town of Navan in the county of Meath, and for repairing the road leading from the ſaid town of Navan to the town of Nobber in the ſaid county; and alſo for repairing the road leading from the ſaid town of Navan to the town of Kells in the ſaid county. 695

CHAP.

CHAP. XLIV.

An act to amend an act, *intitled*, An act for making and amending publick roads in the county of Dublin, and for regulating, applotting and levying of money in the county of the city of Dublin. Page 711

CHAP. XLV.

An act for making, and repairing, and ſhortening a road from the croſs of Callan in the county of Kilkenny through the town of Mullinahone, and by the ford of Kilmore called Blackfoord and Poorſtown to the town of Clonmell in the county of Tipperary. 723

CHAP. XLVI.

An act for making and keeping in repair a road to lead from the town of Nenagh in the county of Tipperary to O'Brien's bridge in the county of Clare. 740

CHAP. XLVII.

An act for amending and making more effectual an act for repairing the road leading from the town of Nenagh in the county of Tipperary through the towns of Birr and Firbane in the King's county to Curranaboy bridge on the turnpike road leading to Athlone in the county of Weſtmeath, and alſo for other purpoſes therein mentioned. 755

CHAP. XLVIII.

An act for amending an act made in the thirteenth year of his late Majeſty George the ſecond, *intitled*, An act for repairing and amending the road leading from the town of Clonmell in

in the county of Tipperary through the towns of Clogheen, Mitchelſtown, and to Doneraile in the county of Cork; and another act paſſed in the twenty ninth year of his ſaid late Majeſty's reign, *intitled*, An act for amending and repairing the ſaid road, and for other purpoſes. Page 758

CHAP. XLIX.

An act for altering, amending, and continuing, and making more effectual an act made in the thirteenth and fourteenth years of the reign of his preſent Majeſty, *intitled*, An act for amending and repairing the road leading from the city of Cork to the brook which bounds the counties of Cork and Tipperary near the foot of Kilworth mountain, and on to Knockboy turnpike gate, and other purpoſes. 761

CHAP. L.

An act for further enforcing a due execution of the laws relative to turnpike roads in this kingdom. 764

CHAP. LI.

An act for veſting a competent part of the real and perſonal eſtates of the late right honourable ſir Henry Cavendiſh baronet deceaſed in truſtees for diſcharging a debt due by the ſaid ſir Henry Cavendiſh to his Majeſty, and for the purpoſes therein mentioned. 766

Vol. XI.

A

COLLECTION

OF

STATUTES.

The Sixteenth Year of GEORGE III.

An Act for continuing an Act, entitled, *An Act for allowing further Time to Perſons in Offices or Employments, to qualify themſelves, purſuant to an Act*, entitled, *An Act to prevent the further Growth of Popery.*

A. D. 1776.

WHEREAS by an act paſſed in the fifteenth and ſixteenth years of your Majeſty's reign, entitled, *An act for allowing further time to perſons in offices or employments, to qualify themſelves, purſuant to an act*, entitled, *An act to prevent the further growth of popery*, ſeveral proviſions were made therein, which have been found to be of general uſe: and whereas the time limited by the ſaid recited act, for the perſons to qualify, as therein directed, will expire on the firſt day of Auguſt one thouſand ſeven hundred and ſeventy ſix; and whereas it will be expedient that further time ſhall be allowed to perſons in offices or employments to qualify themſelves; wherefore be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the time mentioned in the ſaid recited act, for perſons in offices or employments ſo to qualify themſelves, ſhall be extended to the firſt day of July which will be in the year of our Lord one thouſand ſeven hundred and ſeventy eight.

COLLECTION

OF

STATUTES.

The Sixteenth Year of GEORGE III.

THE SEVENTEENTH and EIGHTEENTH Years OF GEORGE III.

CHAP. I.

An Act for granting unto His Majeſty an additional Duty on Beer, Ale, Strong Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes therein mentioned; and for prohibiting the Importation of all Gold and Silver Lace, and of all Cambricks and Lawns, except of the Manufacture of Great-Britain.

A. D. 1777-8.

WE your Majeſty's moſt dutiful and loyal ſubjects the commons of Ireland in Parliament aſſembled, having a juſt ſenſe of your royal care for the proſperity of all your ſubjects, and well knowing that the ſecurity of this realm, and the continuance of the many bleſſings we enjoy under your Majeſty's mild and auſpicious reign, depend on the ſupport of your Majeſty's government: and whereas twelve thouſand effective men, commiſſion and non-commiſſion officers included, are neceſſary to be maintained within this kingdom for its defence: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That three thouſand and forty ſix men, commiſſion and non commiſſion officers included, which have been raiſed in purſuance of an act of Parliament paſſed in this kingdom in the ſeſſion of

A. D. 1777-8. Chap. 1.

one thouſand ſeven hundred and ſixty nine be continued for two years from the firſt day of January one thouſand ſeven hundred and ſeventy eight to the thirty firſt day of December one thouſand ſeven hundred and ſeventy nine incluſive; ſo as that the forces on the eſtabliſhment in this kingdom may amount to fifteen thouſand and forty ſix effective men, commiſſion and non commiſſion officers included, ſo ſoon as the four thouſand men, which have been ſent by your Majeſty out of this kingdom on account of the preſent exigency of affairs, ſhall be returned.

II. And in order to enable your Majeſty to carry into execution your Majeſty's intentions and determined reſolution, ſignified to us by his excellency the lord viſcount Townſhend, late lord lieutenant of this kingdom, by your Majeſty's command, to keep within this kingdom for the neceſſary defence of the ſame twelve thouſand effective men, commiſſion and non commiſſion officers included, at all times unleſs in caſes of invaſion or rebellion in Great Britain, and to defray the other neceſſary expences of your Majeſty's government, we do moſt humbly beſeech your Majeſty, that it may be enacted and be it enacted by the authority aforeſaid, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven until the twenty fifth day of December, which ſhall be in the year one thouſand ſeven hundred and ſeventy nine incluſively, and no longer, there ſhall be throughout his Majeſty's kingdom of Ireland granted, raiſed, collected, levied, and paid to his Majeſty, his heirs and ſucceſſors, the ſeveral rates, additional duties, and impoſitions herein after mentioned (that is to ſay) for and upon every thirty two gallons of beer or ale above the price of ſix ſhillings the barrel, brewed within this kingdom by any common brewer, or in his veſſels, or by any other perſon or perſons who doth, or do, or ſhall ſell or tap out beer or ale publickly or privately, ſuch gallon to contain two hundred and ſeventy two cubical inches, and one fourth part of a cubical inch, the ſum of two ſhillings, to be paid by the common brewer, or by ſuch other perſon or perſons reſpectively, who ſhall brew, ſell, or tap out the ſame, and ſo proportionably for a greater or leſſer quantity; and for every thirty two gallons of beer or ale of the price of ſix ſhillings or under, brewed within this kingdom by any common brewer, or in his veſſels, or by any other perſon or perſons who doth, or do, or ſhall ſell or tap out beer or ale publickly or privately, each gallon to contain two hundred and ſeventy two cubical inches, and one fourth part of a cubical inch, the ſum of four pence, to be paid by the common brewer, or ſuch other perſon or perſons reſpectively, who ſhall brew, ſell, or tap out the ſame during the time aforeſaid, and ſo proportionably for a greater or leſſer quantity; for every gallon of aquavitæ, ſtrong waters, or ſpirits, made or diſtilled within this kingdom for ſale, the ſum of four pence, to be paid by the firſt maker or diſtiller thereof during the time aforeſaid; for every pound weight of tobacco that ſhall be imported into this kingdom during the time aforeſaid, the ſum of three pence halfpenny; for every yard of muſlin that ſhall be imported into this kingdom during the time aforeſaid, the ſum of ſix pence; for every yard of all ſorts of ſilks and ſtuffs, made or manufactured in Perſia, China, or the Eaſt Indies, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of one ſhilling and ſix pence; for every ton of wine that ſhall be imported into this kingdom during the time aforeſaid, the ſum of four pounds, and ſo proportionably for a greater or leſs quantity; for every gallon of brandy, ſtrong waters, and ſpirits perfectly made, and of ſpirits made and diſtilled of wine not above proof, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of eight pence, and ſo proportionably for a greater or leſs quantity; and for every gallon of foreign ſpirits (above the quality of ſingle ſpirits) which ſhall be imported into this kingdom during the time aforeſaid, an additional duty ſhall be paid for ſuch ſpirits, and ſhall be charged thereon, in proportion to the duties payable for ſingle ſpirits

of the ſame denomination, according to the comparative degree of ſtrength, which ſuch ſpirits ſo to be imported ſhall bear to ſingle ſpirits of the ſame denomination; for and upon every pound weight of coffee, chocolate, and cocoa nuts, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of three pence; a tax of one ſhilling per barrel upon all herrings that ſhall be imported into this kingdom (except Britiſh herrings) during the time aforeſaid; an additional duty of twenty ſhillings ſterling on every hundred weight of molaſſes; an additional duty of twenty ſhillings on every hundred weight of treacle; an additional duty of ſix pence *per* yard for and upon all foreign ſtuffs, called romalls, and all manufactures made of cotton, or of cotton and linen mixed, whether plain, painted, or ſtained, which ſhall be imported into this kingdom during the time aforeſaid, from any parts beyond the ſeas (except the manufacture of Great Britain); an additional duty of ſix pence *per* hide for and upon every raw and untanned hide, which ſhall be exported out of this kingdom to parts beyond the ſeas (except to Great Britain) during the time aforeſaid; an additional duty of one ſhilling for every rheam of writing or printing paper, which ſhall be imported into this kingdom during the time aforeſaid, (except of the manufacture of Great Britain); an additional duty of ſix pence *per* yard over and above the preſent duties on all damaſk towelling or napkins, made of flax or hemp, imported into this kingdom from foreign parts, or from any other place than Great Britain, during the time aforeſaid, at or under a yard wide, and of one ſhilling *per* yard on all ſuch goods from ſix quarters to eight quarters wide, and of two ſhillings *per* yard on all ſuch goods from eleven quarters to twelve quarters wide.

III. And be it further enacted by the authority aforeſaid, That the ſix pence *per* pound, and all other fees which ſhall or may be payable to the vice-treaſurer or vice-treaſurers, paymaſter or receiver general, of this kingdom, upon iſſuing or payment of any ſum or ſums which ſhall or may ariſe out of the aids herein before particularly mentioned, ſhall be received by the ſaid vice-treaſurer or vice-treaſurers, receiver, or paymaſter general, for the uſe of his Majeſty, his heirs and ſucceſſors, during the time aforeſaid, and ſhall be duly accounted for by him or them to his Majeſty, his heirs and ſucceſſors, as a further additional aid hereby given and granted for the ſupport of his Majeſty's government.

IV. And be it further enacted by the authority aforeſaid, That the ſeveral further additional rates, duties, and impoſitions herein after mentioned ſhall be granted, raiſed, levied, and paid to his Majeſty, his heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclufively; that is to ſay, a further additional duty of four pounds thirteen ſhillings and four pence *per* ton for and upon all French wines; a further additional duty of ſix pounds *per* ton for and upon all wines of the growth of Portugal; and a further additional duty of four pounds eleven ſhillings *per* ton for and upon all Rheniſh wines, and all other wines (except Spaniſh wines) which ſhall be imported into this kingdom during the time aforeſaid, over and above all other duties now payable for the ſame, and ſo proportionably for a greater or leſs quantity; a further additional duty of ſix pence *per* gallon for and upon all brandy, geneva, and other ſpirits that ſhall be imported into this kingdom from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclufively (except ſpirits of the growth and produce of his Majeſty's ſugar colonies in America) over and above all other duties now payable for the ſame; a further additional duty of one ſhilling *per* rheam upon every rheam of paper, except writing, printing, brown, blue, and preſſing paper, which ſhall be imported into this kingdom from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclufive, except of the manufacture of Great Britain; a further additional duty of ten ſhillings for and upon every coach, chariot, ber-

lin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep in his or her poſſeſſion, being in number not more than one, and of twenty ſhillings for every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep exceeding that number (except hackney and ſtage carriages, and carriages kept by coach makers for ſale) and alſo an additional duty of ten ſhillings on all chaiſes with two wheels which any perſon ſhall keep in his or her poſſeſſion (except hackney chaiſes, and chaiſes kept by the makers for ſale) from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy eight inclusively, over and above all other duties now payable for the ſame; a further additional duty of ten ſhillings for and upon every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which every perſon ſhall keep in his or her poſſeſſion, being in number not more than one, and of twenty ſhillings for every coach, chariot, berlin, calaſh, or chaiſe with four wheels which any perſon ſhall keep exceeding that number (except hackney and ſtage carriages and carriages kept by coach makers for ſale) and alſo an additional duty of ten ſhillings on all chaiſes with two wheels which any perſon ſhall keep in his or her poſſeſſion (except hackney chaiſes and chaiſes kept by the makers for ſale) over and above all other duties now payable for the ſame, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy eight to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusively.

V. And be it further enacted by the authority aforeſaid, That the ſeveral further additional rates, duties, and impoſitions herein after mentioned ſhall be granted, raiſed, levied, and paid to his Majeſty, his heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusively; that is to ſay, a further additional duty of four pence *per* gallon for and upon all *aqua vitæ*, ſtrong waters, or ſpirits made or diſtilled within this kingdom for ſale, to be paid by the firſt maker or diſtiller thereof; a further additional duty of four pence *per* gallon for and upon all rum or other ſpirits of the growth and produce of his Majeſty's ſugar colonies in America, which ſhall be imported into this kingdom from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusively; a further additional duty of ſix pence *per* gallon for and upon all brandy, geneva, or other ſpirits, which ſhall be imported into this kingdom from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusively, except ſpirits of the growth and produce of his Majeſty's ſugar colonies in America.

VI. And be it further enacted by the authority aforeſaid, That for the better collecting the ſaid duty chargeable on every perſon who ſhall keep any carriages with four wheels, or two wheels (except as before excepted) every perſon who from and after the ſaid twenty fifth day of December, one thouſand ſeven hundred and ſeventy ſeven ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, ſhall within three calendar months after the ſaid twenty fifth day of December, one thouſand ſeven hundred and ſeventy ſeven, or within three calendar months after he or ſhe ſhall have or keep any ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, by writing under his or her hand, certify to the collector of exciſe in ſome one of the diſtricts, wherein he or ſhe ſhall reſide or dwell within the time aforeſaid, a true account of every ſuch coach, chariot, berlin, calaſh, and chaiſe with four wheels, and chaiſe with two wheels, which he or ſhe ſhall have or keep (except hackney or ſtage carriages, and carriages kept by coach makers for ſale, and except hackney chaiſes, and chaiſes with two wheels, kept by the makers for ſale) with the name of the place and pariſh of his or her reſidence or abode at the time of giving ſuch certificate, which ſaid certificate ſhall

be

be kept by the reſpective collectors of the ſeveral diſtricts in this kingdom for the time being, and ſhall be alſo entered or regiſtered in an alphabetical book to be by them reſpectively kept for that purpoſe; and a copy of ſuch entry, ſigned by ſuch collector, or his clerk, ſhall be delivered, if required, without any fee or reward, to the perſon delivering ſuch certificate, and a number ſhall be entered on each certificate ſo regiſtered; and that the ſaid collectors reſpectively ſhall under their hands, on or before the twenty fifth day of December in every year give a true liſt of all coaches, chariots, berlins, calaſhes and chaiſes with four wheels, and all chaiſes with two wheels, from time to time returned to them reſpectively in ſuch certificates, with the names of the perſons and places of their abode reſpectively mentioned in ſuch reſpective certificates, to the perſons who for the time being ſhall be appointed by the commiſſioners of his Majeſty's revenue of exciſe, or any three of them, to collect and receive the ſaid duties; and that ſuch perſons as ſhall be appointed by the ſaid commiſſioners of exciſe, or any three of them, to collect and receive the ſaid duties on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and chaiſes with two wheels, ſhall have full power and authority to levy, collect, and receive the ſame within the diſtrict wherein the certificate ſhall be entered, in the ſame manner as his Majeſty's revenue ariſing from fire-hearths is now by law levied, collected, and received; and ſhall reſpectively deliver and ſign acquittances, without fee or reward for the ſame, and ſhall keep duplicates thereof in a book to be kept for that purpoſe, in the ſame manner as acquittances are given and kept for the duty of fire-hearths; and ſhall reſpectively return the book containing the duplicates of ſuch acquittances to ſuch perſon and perſons, and at the ſame time, and to be diſpoſed of in the ſame manner as books containing the duplicates of acquittances for the ſaid duty on fire-hearths are returned; and that the duties aforeſaid ſhall be paid in the reſpective diſtricts wherein the ſaid carriages ſhall be entered or regiſtered reſpectively, and in no other.

VII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, chargeable with the ſaid reſpective duties by virtue of this act, which ſhall not be certified in manner as aforeſaid, then and in ſuch caſe every ſuch perſon and perſons ſo having or keeping ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, not certified as aforeſaid, ſhall for ſuch neglect forfeit the ſum of twenty pounds, to be ſued for, recovered, and levied, and applied in ſuch manner and form, and by ſuch ways and methods, as are preſcribed and appointed for the ſuing, recovering, levying, and applying forfeitures, and penalties in and by an act of Parliament made and paſſed in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted.*

VIII. Provided nevertheleſs, That every perſon (except as before excepted) having in his or her keeping or poſſeſſion any coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, belonging to another perſon, ſhall be charged for every ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, with the ſaid duty impoſed by this act, in the ſame manner as the owner or proprietor thereof is or ought to be charged or chargeable for the ſame by this act.

IX. And be it further enacted by the authority aforeſaid, That the perſon or perſons who for the time being, ſhall be authorized and impowered to collect and levy the ſaid duty on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and chaiſes with two wheels, ſhall pay the ſame to the ſaid collectors of the ſeveral diſtricts, where the ſaid duty ſhall be collected and raiſed; and that the ſaid collectors ſhall keep ſeparate and diſtinct accounts thereof, and pay the ſame into his Majeſty's treaſury, as other money received by them for the uſe of his Majeſty.

A. D. 1777-8. Chap. 1.

X. Provided always, That nothing in this act ſhall extend, or be conſtrued to extend, to charge any perſon or perſons, who ſhall keep, and certify to the ſaid collectors of exciſe in manner above mentioned any coach, chariot, berlin, calaſh, or chaiſe with four wheels, with the ſaid additional duty of ten ſhillings chargeable upon chaiſes with two wheels; nor to charge any cabriolet or garden chair, or to oblige ſuch perſon or perſons to make any entry of any ſuch chaiſes with two wheels, or of ſuch cabriolet or garden chair.

XI. And be it further enacted by the authority aforeſaid, That all and every the ſeveral and reſpective additional duties, and further additional duties, rates, and impoſitions hereby granted, ſhall be raiſed, anſwered, levied, collected, and paid unto his Majeſty, his heirs and ſucceſſors during the time aforeſaid, over and above all other duties payable by virtue of an act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*; or by virtue of one other act made in the fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, entitled, *An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tunnage, and other ſums of money unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into, or out of the kingdom of Ireland, according to the book of rates hereunto annexed.*

XII. And be it further enacted by the authority aforeſaid, That the ſix pence *per* pound, and all other fees which ſhall or may be payable to the vice-treaſurer or vice-treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, upon iſſuing or payment of any ſum or ſums of money, which ſhall or may ariſe out of the aforeſaid duties hereby granted, and herein after particularly mentioned, that is to ſay, the aforeſaid duty of four pounds thirteen ſhillings and four peace *per* ton for and upon all French wines, the aforeſaid ſum of ſix pounds *per* ton for all wines of the growth of Portugal, the ſaid duty of four pounds eleven ſhillings *per* ton for all Rheniſh wines, and all other wines, except Spaniſh wines, the aforeſaid duty of ſix pence *per* gallon on all brandy, geneva, and all other ſpirits, except ſpirits of the growth and produce of his Majeſty's ſugar colonies in America, the aforeſaid duty of one ſhilling *per* rheam upon every rheam of paper, except writing, printing, brown, blue, and preſſing paper, not being of the manufacture of Great Britain, the aforeſaid duties on coaches, chariots, berlins, calaſhes, or chaiſes with four wheels, or chaiſes with two wheels, the aforeſaid further additional duty of four pence *per* gallon on all *aqua vitæ*, ſtrong waters, or ſpirits made within this kingdom for ſale, the aforeſaid further additional duty of four pence *per* gallon on all rum or other ſpirits of the growth and produce of his Majeſty's ſugar colonies in America, the aforeſaid further additional duty of ſix pence *per* gallon on all brandy, geneva, or other ſpirits (except ſpirits of the growth and produce of his Majeſty's ſugar colonies in America) ſhall be received by the ſaid vice-treaſurer or vice-treaſurers, receiver or paymaſter general for the uſe of his Majeſty, his heirs and ſucceſſors, during the time aforeſaid, and ſhall be duly accounted for by him or them.

XIII. Provided always, and be it further enacted by the authority aforeſaid, That if the ſaid wines or other goods and merchandizes herein before mentioned, upon which the ſaid additional duties and further additional duties, hereby granted, are charged upon the importation thereof, ſhall, after payment thereof, or ſecurity given for the ſame, be again exported by any merchant or merchants, that is or are a ſubject or ſubjects of this realm, or any other of his Majeſty's dominions, within twenty four calendar months, or by merchant ſtrangers within twelve calendar months after the importation thereof, and due proof firſt made by certificate from the proper officer, of the due entry and payment of the ſaid additional duties and further additional duties hereby granted and charged thereon, or ſecurity being given for the ſame, and that all other requiſites have been performed, which are by law required to be performed in thoſe caſes where the duties of exciſe are to be repaid by virtue of the before mentioned act, entitled,

An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted; that then the ſaid additional duties and further additional duties hereby impoſed ſhall without any delay or reward, if the ſame ſhall have been paid, be repaid or allowed unto ſuch merchant or merchants ſo exporting the ſame, within one month after demand thereof; or if the ſame ſhall not have been paid, the ſecurity for the ſaid additional duties and further additional duties, by this act charged ſhall be vacated or diſcharged, as to ſo much thereof as ſhall be ſo exported, any thing herein contained to the contrary notwithſtanding.

XIV. And be it further enacted by the authority aforeſaid, That the additional rates and duties hereby granted and impoſed on coffee, chocolate, and cocoa nuts, and all monies ariſing thereby, ſhall be paid to the truſtees, appointed for the management of the hempen and flaxen manufactures of this kingdom, to be by them applied to encourage and ſupport the ſaid manufactures and the trade thereof in this kingdom; and that the ſaid additional duties on raw and untanned hides, and all money ariſing thereby, ſhall be paid to the ſaid truſtees, to be by them applied towards encouraging the raiſing of flax-ſeed in this kingdom.

XV. And be it further enacted by the authority aforeſaid, That all and every the ſeveral and reſpective duties, rates and impoſitions hereby granted, ſhall be raiſed, anſwered, collected, and paid unto his Majeſty, his heirs and ſucceſſors, during the term aforeſaid, at the ſame time, in like manner, and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed, for the raiſing, anſwering, collecting, and paying of duties, in and by the ſaid act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relating to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes as if the ſame were particularly mentioned, expreſſed, and enacted again in the body of this preſent act: with like remedy of appeal to and for the party grieved, as in and by the ſaid act of exciſe or any other law or laws now in being relating to the duties of exciſe, is provided. 14 & 15 *C.* 2. *c.* 8.

XVI. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fifth day of December, one thouſand ſeven hundred and ſeventy ſeven, a ſeparate and diſtinct account ſhall be kept by the proper officer or officers of the ſeveral ſums ariſing from the aforeſaid ſeveral aids, duties, and taxes hereby granted as aforeſaid, and that the commiſſioners of his Majeſty's revenue ſhall return their weekly abſtracts from the ſeveral collectors to the accomptant-general; and that the accomptant general ſhall return a ſeparate account of the aforeſaid ſums ariſing from the ſaid aids, duties, and taxes hereby granted to the vice-treaſurer or vice-treaſurers, his or their deputy or deputies; and that every collector or receiver do take a ſeparate receipt for the ſame when paid into his Majeſty's treaſury; which ſaid receipt the ſaid vice-treaſurer or vice-treaſurers, his, or their deputy or deputies, is and are hereby required to give accordingly.

XVII. And be it further enacted by the authority aforeſaid, That the ſeveral ſums herein after mentioned, be paid out of the aforeſaid additional duties and aids granted to his Majeſty by this preſent act, to the perſons and for the purpoſes herein after mentioned, that is to ſay, the ſum of four thouſand pounds to the right honourable the ſpeaker of the houſe of commons, to enable him to maintain the ſtate and dignity of his office; the ſum of two thouſand pounds *per annum*, for two years from the twenty fifth day of December, one thouſand ſeven hundred and ſeventy ſeven, to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusively, to the truſtees appointed for the management

A. D. 1777-8. Chap. 1.

of the flaxen and hempen manufactures of this kingdom to encourage the raising sufficient quantities of hemp and flax in this kingdom; and also the further sum of two thousand pounds *per annum* for two years from the twenty fifth day of December one thousand seven hundred and seventy seven to the said twenty fifth day of December one thousand seven hundred and seventy nine inclusively, to the said trustees appointed for the management of the hempen and flaxen manufactures of this kingdom, for the encouragement of the said hempen and flaxen manufactures in the provinces of Leinster, Munster, and Connaught; and that the said several sums, so granted to the said trustees of the flaxen and hempen manufactures, be freed and discharged from the payment of six-pence *per* pound, and all other fees which shall or may be payable to the vice-treasurer or vice-treasurers, receiver or paymaster general of this kingdom, clerk of the pells, or any other officer or officers of this kingdom; the sum of five hundred pounds to the right honourable Agmondisham Vesey, esquire, accomptant-general, as a reward for his expence and trouble in preparing and stating the public accounts of the nation, laid before the house of commons this session of Parliament; the sum of three hundred pounds to Henry Gore, esquire, as a reward for his expence and trouble in preparing and making out the account of the imports and exports for two years, ended the twenty fifth day of March, one thousand seven hundred and seventy seven, pursuant to the order of the house of commons; the sum of five hundred pounds to Henry Alcock and Shapland Carew, esquires, clerks of the house of commons, as a reward for their attendance and service this session of Parliament; the sum of three hundred pounds to Benjamin Higgins, clerk assistant, as a reward for his attendance and service this session of Parliament; the sum of one thousand pounds to Dixie Goddington, esquire, serjeant at arms, as a reward for his attendance and service this session of Parliament; the sum of three hundred and fifty pounds to George Melvin and George Frederick Winstanley, the clerks attending the committee of accounts, and other committees, of the house of commons, as a reward for their attendance and service this session of Parliament, to be equally divided between them; the sum of one hundred and twelve pounds to Abraham Bradley for printing the public accounts laid before the house of commons this session of Parliament; the sum of fifty pounds to Hulton Bradley, as a reward for his trouble and attendance in delivering the votes to the members of the house of commons this session of Parliament; the sum of one hundred pounds to James Mc Cowen, and Henry Holmes, door-keepers of the house of commons, as a reward for their attendance and service this session of Parliament, to be equally divided between them; the sum of two hundred pounds to the right honourable the speaker of the house of commons, to be by him divided amongst the back door-keepers and messengers attending the house of commons, (being thirteen in number,) in such manner as he shall direct; the sum of fifty pounds to George Frerick Winstanley, for his extraordinary trouble during his attendance on the committee of accounts; the sum of two hundred pounds to John Wetherall, assistant examinator of customs, for his extraordinary trouble in making up the several accounts by him laid before the house of commons, and in attending this session of Parliament; the sum of three hundred pounds to William Horton, William Wetherall, and Paul Lebas, examinators of corn premiums, on account of the great encrease of their trouble in examining and keeping accounts of said premiums, and for their expences in payment of clerks, in the two years ending at Lady-day one thousand seven hundred and seventy seven; the sum of one hundred pounds to Henry Smyth, deputy paymaster of the corn premiums, for his extraordinary trouble and expence in preparing the accounts by him laid before the house of commons, for two years ending Midsummer, one thousand seven hundred and seventy seven; the sum of one thousand two hundred pounds to sir Roger Palmer baronet, in consideration of his extraordinary attendance, care, and expence, in the office of pay-master of corn premiums, during the two

years

years ending at Michaelmas, one thouſand ſeven hundred and ſeventy ſeven; the ſum of one hundred pounds to the reverend Anthony Sterling, for the trouble and expence of his late father Edward Sterling eſquire, deceaſed, in preparing copies, ſuperintending the printing, and making an index to the proceedings of the ſeſſion of one thouſand ſeven hundred and ſeventy five, being the ſeventeenth volume of the journals of the houſe of commons; the ſum of three hundred pounds to the right honourable the ſpeaker of the houſe of commons, to be by him diſtributed, as he ſhall think fit, amongſt the ſeveral clerks, who have been and may be employed occaſionally this ſeſſion of Parliament to attend ſelect committees of the ſaid houſe on elections; the ſum of twelve thouſand five hundred pounds to the incorporated ſociety towards ſupporting the proteſtant charter ſchools of this kingdom; the ſum of ten thouſand pounds to the Dublin ſociety for the improvement of huſbandry, and other uſeful arts in Ireland, and to enable them to continue premiums for the encouragement of agriculture, arts, and manufactures; the ſum of eight thouſand pounds to the governors of the foundling hoſpital and work houſe towards enabling them to diſcharge the debts by them contracted for the uſe of that charity, and towards ſupporting their neceſſary expences; the ſum of two hundred and fifty pounds to George Melvin, one of the committee clerks of the houſe of commons, for his extraordinary trouble and expence this ſeſſion of Parliament; the ſum of one hundred pounds to Benjamin Higgins, clerk aſſiſtant, for his extraordinary trouble this ſeſſion of Parliament; the ſum of two thouſand nine hundred and forty ſix pounds to the governors of ſaint Patrick's hoſpital to enlarge and compleat the building of ſaid hoſpital; the ſum of ſix thouſand pounds to the board of firſt fruits for building new churches and rebuilding old churches in ſuch pariſhes as no divine publick ſervice has been performed in for twenty years paſt; the ſum of two hundred pounds to Mr. James Magee for his ſervices to the publick in the brewing trade; the ſum of one thouſand five hundred pounds to the truſtees of the circular road, to be by them expended towards compleating the ſaid road; the ſum of one thouſand ſeven hundred and five pounds to Daniel de Lacherois and Robert Kyle eſquires, for repairing the pier and improving the harbour of Donaghadee, to be accounted for to Parliament; the ſum of one thouſand five hundred pounds to the Hibernian marine ſociety towards ſupporting the ſaid charity; the ſum of five hundred pounds to doctor Achmet towards ſupporting the Dublin baths for the uſe of the poor; the ſum of three thouſand pounds to the lord chancellor and chief judges for carrying on the building of offices for the publick records; the ſum of four thouſand pounds to the corporation for relief of the poor in the city of Dublin for two years, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine incluſive, in aid of the charitable contributions; the ſum of one thouſand two hundred and thirty five pounds fifteen ſhillings to the chancellor and chief judges for finiſhing the four court marſhalſea; the ſum of five hundred pounds to Roger Hall, Robert Roſs, and Iſaac Corry, eſquires, towards compleating the wet dock and piers at Warren's-point in the bay of Carlingford, to be accounted for to Parliament; the ſum of one thouſand five hundred pounds to the lord mayor, ſheriffs, commons, and citizens of the city of Dublin, towards carrying on the ballaſt office wall; the ſum of five thouſand pounds to the commiſſioners appointed by act of Parliament for making wide and convenient paſſages through the city of Dublin, to be by them expended in widening that part of the approach from his Majeſty's caſtle at Dublin to the parliament houſe between the caſtle gate and George's-lane, to be accounted for to Parliament; the ſum of one thouſand ſix hundred and thirty five pounds one ſhilling and ſix pence to Mary Hay, widow and executrix of David Hay, aſſignee of the late Boulter Grierſon, being the coſt of printing and binding eighty ſix ſets of the ſtatutes at large in nine volumes, delivered to members of the houſe of commons; the ſum of three hundred pounds to Richard Uniacke eſquire, mayor

A. D. 1777-8. Chap. 1.

of Youghal, Hugh Swayne, and Jeremiah Merrick, eſquires, bailiffs of Youghal, Peter Hennis, eſquire, collector of Youghal, and John Briſcoe eſquire, port ſurveyor of Youghal, or any three of them, towards perfecting the pier to the northwards of the harbour of Youghal, to be accounted for to Parliament; the ſum of one thouſand pounds to the lord mayor, ſheriffs, commons, and citizens of the city of Dublin, towards building the new gaol; the ſum of three hundred pounds to George Taylor and Andrew Skinner to enable them to publiſh their drawings of the roads of Ireland; the ſum of three thouſand and twenty three pounds ten ſhillings to Abraham Bradley, printer to the houſe of commons, being the coſt of ſeventy nine ſets of the journals of the houſe of commons in thirteen volumes, and the appendix and index, delivered to ſeventy nine members who had not before received them, and for printing and binding five hundred of the ſeventeenth volume of the ſaid journals purſuant to the orders of the houſe of commons; the ſum of one thouſand pounds to the truſtees appointed for the improvement of Cork harbour towards carrying on the ſaid work, to be accounted for to Parliament; the ſum of one thouſand five hundred pounds to the governors of the Hibernian ſchool for the ſupport of that charity; all which ſaid ſeveral ſums are to be paid by the vice treaſurer or vice treaſurers, receiver general or receivers general, of this kingdom without any further or other warrant to be ſued for, had, or obtained in that behalf.

XVIII. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven the ſeveral ſums granted by this act, or any other act of Parliament now in force in this kingdom, and appropriated to encourage the raiſing ſufficient quantities of flax and hemp in this kingdom, and for the encouragement of the hempen and flaxen manufactures in the provinces of Leinſter, Munſter, and Connaught, ſhall be applied to ſuch purpoſes only, and no other; and that a ſeparate and diſtinct account ſhall be kept by the proper officer of the application thereof, and be laid before Parliament.

XIX. And be it further enacted by the authority aforeſaid, That the tax of one ſhilling per barrel, hereby granted and impoſed on all herrings imported into this kingdom, be paid to the Dublin ſociety to be by them applied to the encouragement of the fiſheries in the north weſt parts of this kingdom.

XX. Provided always, in caſe any herrings ſo imported ſhall be exported within nine calendar months after ſuch importation, that the duties hereby impoſed and paid on ſuch importation ſhall be repaid to and drawn back by the exporter or exporters of the ſame.

Lace, cambricks, or lawn, imported, (except *Britiſh*) forfeited and treble value, the ſhip, &c.

XXI. And be it further enacted by the authority aforeſaid, That no gold or ſilver lace, cambricks, or lawns whatſoever (except of the manufacture of Great Britain) ſhall from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven be imported into this kingdom in any ſhip or veſſel whatſoever under the penalty of the forfeiture of all ſuch lace, cambricks and lawns, and treble the value thereof, and of the ſhip or veſſel in which the ſame ſhall be imported, with all her guns, tackle, furniture, ammunition, and apparel: one moiety of which forfeiture ſhall be and remain to his Majeſty, his heirs and ſucceſſors, and the other moiety to him or them who ſhall ſeize and ſue for the ſame by action, bill, plaint, or information in the court of Exchequer, wherein no wager of law, protection, eſſoign, or other dilatory plea ſhall be allowed.

A. D. 1777-8.

CHAP. II.

An Act for granting unto His Majesty the several Duties, Rates, Impositions and Taxes therein particularly expressed, to be applied to the Payment of the Interest of the Sums therein provided for, and towards the Discharge of the said Principal Sums, in such Manner as therein is directed; and for such other Purposes as are therein mentioned.

By 15 & 16 G. 3. c. 1. additional duties to 25 Dec. 1777, to pay 4 *per cent.* loan interest,

WHEREAS by an act of Parliament made and passed in the fifteenth and sixteenth years of your Majesty's reign, entitled, *An act for granting to his Majesty the several duties, rates, impositions, and taxes therein particularly expressed, to be applied to pay an interest at the rate of four* per cent. per annum, *for such part of the several principal sums formerly borrowed, as shall remain unpaid on the twenty fifth day of December one thousand seven hundred and seventy five, and for such other purposes as are therein mentioned,* several aids and additional duties were granted to your Majesty, your heirs and successors, from the twenty fifth day of December one thousand seven hundred and seventy five, to the twenty fifth day of December one thousand seven hundred and seventy seven inclusive, to pay an interest for the several sums in the said recited act particularly mentioned, or so much thereof as should remain unpaid on the said twenty fifth day of December one thousand seven hundred and seventy five, to the person or persons who lent the same, his, her, or their executors, administrators or assigns, at the rate of four pounds *per centum per annum*, to commence from the said twenty fifth day of December one thousand seven hundred and seventy five, without any fee or charge, and free from all deductions, defalcations, and abatements whatsoever, until such time as they should be respectively paid their principal money at one entire payment: and whereas the several aids and duties granted to your Majesty in and by the said recited act have not proved sufficient to pay and discharge the said several principal sums, and the interest of the same respectively; and whereas it is necessary to provide for the payment of such part of the said several principal sums, as shall remain unpaid on the twenty fifth day of December one thousand seven hundred and seventy seven, together with the interest thereof, and also to provide for the payment of the several annuities granted by an act passed in a session holden in the thirteenth and fourteenth years of your Majesty's reign, entitled, *An act for*

said duties insufficient to pay said sums, and annuities by 13 & 14 G. 3. c. 5 & 7. & 15 & 16 G. 3. c. 2.

A. D. 1777-8. Chap. 2.

granting annuities in the manner therein provided to ſuch perſon as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty five thouſand pounds; which act was explained and amended by one other act paſſed in the ſame ſeſſion, entitled, *An act to explain and amend an act paſſed in this ſeſſion of Parliament*, entitled, *An act for granting annuities in the manner therein provided to ſuch perſons as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty five thouſand pounds*; and alſo the ſeveral annuities granted by one other act paſſed in the ſeſſion holden in the fifteenth and ſixteenth years of your Majeſty's reign, entitled, *An act for granting annuities in the manner therein provided to ſuch perſons as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of one hundred and ſeventy five thouſand pounds*; we therefore your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in Parliament aſſembled, do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for ſo much of the ſaid ſeveral principal ſums ſo formerly borrowed as aforeſaid, as ſhall remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven, there ſhall be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or vice treaſurers, paymaſter, or receiver general, his or their deputy or deputies, at the end of every ſix calendar months from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven, to the perſon or perſons who has or have paid or lent the ſame, his, her, or their executors, adminiſtrators, or aſſigns, an intereſt at the rate of four pounds *per centum per annum*, to commence from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one entire payment.

4 per cent. intereſt to be paid at treaſury on loan due 25 Dec. 1777 half yearly without deduction, till principal paid.

II. And be it further enacted by the authority aforeſaid, That the ſeveral annuities granted by the ſaid recited acts to the ſeveral ſubſcribers, who advanced and paid the ſaid two ſeveral ſums of two hundred and ſixty five thouſand pounds, and of one hundred and ſeventy five thouſand pounds, into his Majeſty's treaſury purſuant to the ſaid acts, ſhall and may be regularly

Annuities to ſubſcribers for 265000l. and 175000l. paid regularly as by ſaid acts.

regularly paid, as the ſame ſhall become due, according to the true intent and meaning of the ſaid recited acts.

For further loan not exceeding 166000l. for deficiencies in aids this ſeſſion intereſt not exceeding 4 *per cent.* paid half yearly without deduction, till principal paid.

III. And whereas it may be neceſſary, that a further ſum or ſums of money ſhall be borrowed to ſupply any deficiency or deficiencies, that may ariſe in the aids granted this ſeſſion of Parliament for the ſupport of your Majeſty's government: we therefore, your Majeſty's moſt dutiful and loyal ſubjects the commons of Ireland in Parliament aſſembled, do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the authority aforeſaid, That for all and every ſuch further ſum and ſums of money, not exceeding in the whole the ſum of one hundred and ſixty ſix thouſand pounds, as ſhall be actually paid by any perſon or perſons into his Majeſty's treaſury at the inſtance of his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, to ſupply ſuch deficiencies as ſhall or may ariſe in the aids granted this ſeſſion of Parliament for the ſupport of his Majeſty's government there ſhall be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the reſpective times of ſuch payments, to the perſon or perſons ſo paying or lending the ſame, his or their executors, adminiſtrators, or aſſigns, ſuch intereſt as ſhall be agreed by his excellency the lord lieutenant, or other chief governor or governors of Ireland for the time being, to be paid for the ſame, not exceeding the rate of four pounds *per centum per annum*, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one entire payment.

Like debentures given and numbered.

IV. And be it further enacted by the authority aforeſaid, That ſuch like debentures or receipts bearing ſuch intereſt, not exceeding the rate of four pounds *per centum per annum*, as ſhall be ſo agreed upon, ſhall be given by the proper officers of his Majeſty's treaſury for all and every ſum and ſums of money to be paid into the receipt of his Majeſty's exchequer, purſuant to this act, on account of the ſaid intended loan, not exceeding the ſum of one hundred and ſixty ſix thouſand pounds, as have been heretofore given for ſuch parts of the ſeveral principal ſums formerly borrowed; and the ſaid debentures or receipts, ſo to be

A. D. 1777-8. Chap. 2.

given in purſuance of this act, ſhall be numbered in arithmetical progreſſion where the common exceſs or difference is to be one, until the whole ſhall be numbered, beginning with the number next after the laſt number of the receipts or debentures for the ſums ſo formerly borrowed, and now ſtanding out at an intereſt of four pounds *per centum per annum* in manner as aforeſaid.

Expired 25 Dec. 1779.

V. And to the intent that the intereſt of the ſaid ſeveral ſums ſo formerly borrowed and remaining unpaid, and the ſaid ſeveral annuities, and alſo the intereſt of the ſaid ſum of one hundred and ſixty ſix thouſand pounds, or ſo much thereof as ſhall be raiſed in purſuance of this act, may be duly and regularly paid, be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of December, which ſhall be in this preſent year one thouſand ſeven hundred and ſeventy ſeven, there ſhall be throughout his Majeſty's kingdom of Ireland raiſed, levied, granted, collected, and paid to his Majeſty, his heirs and ſucceſſors, until the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusive, and no longer, over and above the ſeveral rates and duties payable by virtue of an act paſſed in the fourteenth and fifteenth years of the reign of his Majeſty King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by virtue of one other act, paſſed in the ſaid fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, entitled, *An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tonnage, and other ſums of money, unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into, or out of the kingdom of Ireland, according to the book of rates hereunto annexed*, and over and above any other duties, rates, impoſitions, and taxes granted to his Majeſty by any other act of parliament heretofore enacted in this kingdom, and ſtill in force, and over and above any duties, rates, and impoſitions granted by any other act of Parliament, or which ſhall or may be enacted during this preſent ſeſſion of Parliament, the ſeveral duties, rates, impoſitions, and taxes herein after mentioned, that is to ſay, an additional duty of ſix pounds *per* ton for and upon all ſorts of wine of the growth of France or Spain; and of three pounds *per* ton for and upon all ſorts of wine of the growth of Portugal, and of five pounds *per* ton for and upon all other wines that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven; and alſo an additional duty of four pounds ſterling *per* pound weight for and upon all velvets or manufactures made of or mixed with ſilk (except thoſe of Great Britain,

China, Persia, and the East Indies) that shall be imported into this kingdom from and after the twenty fifth day of December one thousand seven hundred and seventy seven; an additional duty of one halfpenny *per* pound weight for and upon all hops that shall be imported into this kingdom from and after the twenty fifth day of December one thousand seven hundred and seventy seven; an additional duty of five pounds *per centum* for and upon all china, earthen, japanned, or lacquered ware, as valued or rated for custom by the book of rates, that shall be imported into this kingdom from and after the said twenty fifth day of December one thousand seven hundred and seventy seven; an additional duty of three pounds *per* ton for and upon all sorts of vinegar that shall be imported into this kingdom from and after the said twenty fifth day of December one thousand seven hundred and seventy seven; a further additional duty of two pence *per* gallon for and upon every gallon of *aquavitæ*, strong waters, and spirits, that shall be made or distilled within this kingdom for sale, to be paid by the first maker or distiller thereof, from and after the said twenty fifth day of December one thousand seven hundred and seventy seven; a further additional duty of two pence *per* pound for and upon all coffee that shall be imported into this kingdom from and after the said twenty fifth day of December one thousand seven hundred and seventy seven; a duty of ten shillings *per annum* to be paid by all and every person or persons, that doth, do, or shall sell or tap out by retail any cyder at any time between the said twenty fifth day of December one thousand seven hundred and seventy seven and the twenty fifth day of December one thousand seven hundred and seventy nine inclusive; a duty of one penny *per* gallon for and upon all cyder that shall be sold or tapped out by retail, to be paid by the person who shall sell or tap out the same by retail, from and after the said twenty fifth day of December one thousand seven hundred and seventy seven; an additional duty of twenty shillings to be paid by every person for every coach, chariot, berlin, calash, or chaise with four wheels, which such person shall keep in his or her possession (except hackney and stage carriages, and carriages kept by coach makers for sale, and also except cabriolets or garden chairs) at any time between the said twenty fifth day of December one thousand seven hundred and seventy seven and the twenty fifth day of December one thousand seven hundred and seventy eight inclusive; an additional duty of twenty shillings to be paid by every person for every coach, chariot, berlin, calash, or chaise with four wheels which any person shall keep in his or her possession (except as aforesaid) at any time between the said twenty

A. D. 1777-8. Chap. 2.

fifth day of December one thouſand ſeven hundred and ſeventy eight and the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusive; an additional duty of twenty ſhillings *per* ton for and upon every ton of ſoap boilers waſte, and ſo in proportion for a greater or leſſer quantity, that ſhall be exported out of this kingdom to any parts beyond the ſeas from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven; an additional duty of three pounds *per* ton for and upon every ton of linen rags, and ſo in proportion for a greater or leſſer quantity, that ſhall be exported out of this kingdom to parts beyond the ſeas from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven.

VI. And whereas great frauds and abuſes have been committed by the clandeſtine importation of tea from parts beyond the ſeas without paying any duty for ſuch tea: for remedy whereof, and for the greater diſcouragement of the pernicious and illegal practices of unlawfully importing and clandeſtinely running and landing of tea, be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven until the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusively there ſhall be paid to his Majeſty, his heirs and ſucceſſors, the ſum of ſix pence for every pound of green tea, and the ſum of four pence for every pound of black bohea and other tea, which ſhall be imported into this kingdom during the time aforeſaid, in lieu and full ſatisfaction of all duties of cuſtoms and exciſe.

VII. And be it further enacted by the authority aforeſaid, That the further additional duties herein after mentioned, ſhall be raiſed, levied, and paid to his Majeſty, his heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusive; that is to ſay, a further additional duty of five pounds *per centum* for and upon the ſeveral goods and manufactures (not being of the growth and produce or manufacture of Great Britain) herein after named, as the ſame now ſtand rated for cuſtoms in the book of rates, or if unrated ſhall be valued upon the oath of the importer, which ſhall be imported into this kingdom during the time aforeſaid, over and above all other duties now payable for the ſame, *viz.* apparel, apples, bacon, and hams, beads of glaſs, chocolate, cocoa nuts, coffee, cork, capers, cloves, currants, cheſnuts, walnuts, ſmall

nuts,

nuts, bugles, hulled barley, artificial flowers, millinary ware, pearl barley, fans, hats chip and ſtraw, anchovies, ſturgeon, pins, wrought ivory, olives, onions, prints and pictures, mace, nutmegs, wrought incle, drugs (not being for dyer's uſe) elephant's teeth, furs, all lacquered, japanned, gilt, painted, bronzed, and enamelled ware, gloves of all ſorts, almonds, anniſeeds, cinnamon, liquorice, pepper, piamento, pruins, raiſins, rice, ſaffron, ſuccards, ſuccus liquoritia, needles, thimbles, outnal threads, ſiſters thread, china and earthen ware, whited brown thread, and all other threads, haberdaſhery, hardware, toys, mermits, iron pots, ſciſſars, ſnuff, tyles, ſhot, laces of cotton, thread, worſted, or ſilk, groceries of all kinds (except ſugars) oranges and lemons, lime, lemon, and orange juice (not being for dyers) tape, foreign linens, and all manufactures of flax and hemp; and alſo the further additional duties herein after mentioned; that is to ſay, for and upon all chintzes, calicoes, and muſlins of the manufacture of China, Perſia, and the Eaſt Indies, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of ſix pence *per* yard over and above all other duties payable for the ſame; a further additional duty for and upon all teas imported into this kingdom, which ſhall have been purchaſed at the India company ſales for an higher price than four ſhillings Britiſh *per* pound at the rate of one penny *per* pound weight for every ſix pence Britiſh that ſhall be paid for the ſame, over and above the ſum of four ſhillings Britiſh at the ſales above mentioned, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusive; the price of the teas to be inſerted in the cocket, and to be further aſcertained by a reference to the ſale books of the Eaſt India company; copies whereof, or of ſuch parts thereof as ſhall relate to the teas ſo imported, atteſted by the principal accountant or deputy accountant for the time being of the Eaſt India company, the commiſſioners of the revenue are required to procure from time to time for the purpoſes above mentioned, and which copies ſhall be admitted as evidence in all proſecutions commenced or ariſing upon this act; and a further additional duty of ſix pence *per* pack for and upon all printed or playing cards, that ſhall be manufactured or vended in this kingdom between the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven and the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, over and above all other duties now payable for the ſame.

A. D. 1777-8. Chap. 2.

fifth day of December one thouſand ſeven hundred and ſeventy eight and the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusive; an additional duty of twenty ſhillings *per* ton for and upon every ton of ſoap boilers waſte, and ſo in proportion for a greater or leſſer quantity, that ſhall be exported out of this kingdom to any parts beyond the ſeas from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven; an additional duty of three pounds *per* ton for and upon every ton of linen rags, and ſo in proportion for a greater or leſſer quantity, that ſhall be exported out of this kingdom to parts beyond the ſeas from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven.

VI. And whereas great frauds and abuſes have been committed by the clandeſtine importation of tea from parts beyond the ſeas without paying any duty for ſuch tea: for remedy whereof, and for the greater diſcouragement of the pernicious and illegal practices of unlawfully importing and clandeſtinely running and landing of tea, be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven until the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusively there ſhall be paid to his Majeſty, his heirs and ſucceſſors, the ſum of ſix pence for every pound of green tea, and the ſum of four pence for every pound of black bohea and other tea, which ſhall be imported into this kingdom during the time aforeſaid, in lieu and full ſatisfaction of all duties of cuſtoms and exciſe.

VII. And be it further enacted by the authority aforeſaid, That the further additional duties herein after mentioned, ſhall be raiſed, levied, and paid to his Majeſty, his heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusive; that is to ſay, a further additional duty of five pounds *per centum* for and upon the ſeveral goods and manufactures (not being of the growth and produce or manufacture of Great Britain) herein after named, as the ſame now ſtand rated for cuſtoms in the book of rates, or if unrated ſhall be valued upon the oath of the importer, which ſhall be imported into this kingdom during the time aforeſaid, over and above all other duties now payable for the ſame, *viz.* apparel, apples, bacon, and hams, beads of glaſs, chocolate, cocoa nuts, coffee, cork, capers, cloves, currants, cheſnuts, walnuts, ſmall

nuts,

nuts, bugles, hulled barley, artificial flowers, millinary ware, pearl barley, fans, hats chip and ſtraw, anchovies, ſturgeon, pins, wrought ivory, olives, onions, prints and pictures, mace, nutmegs, wrought incle, drugs (not being for dyer's uſe) elephant's teeth, furs, all lacquered, japanned, gilt, painted, bronzed, and enamelled ware, gloves of all ſorts, almonds, anniſeeds, cinnamon, liquorice, pepper, piamento, pruins, raiſins, rice, ſaffron, ſuccards, ſuccus liquoritia, needles, thimbles, outnal threads, ſiſters thread, china and earthen ware, whited brown thread, and all other threads, haberdaſhery, hardware, toys, mermits, iron pots, ſciſſars, ſnuff, tyles, ſhot, laces of cotton, thread, worſted, or ſilk, groceries of all kinds (except ſugars) oranges and lemons, lime, lemon, and orange juice (not being for dyers) tape, foreign linens, and all manufactures of flax and hemp; and alſo the further additional duties herein after mentioned; that is to ſay, for and upon all chintzes, calicoes, and muſlins of the manufacture of China, Perſia, and the Eaſt Indies, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of ſix pence *per* yard over and above all other duties payable for the ſame; a further additional duty for and upon all teas imported into this kingdom, which ſhall have been purchaſed at the India company ſales for an higher price than four ſhillings Britiſh *per* pound at the rate of one penny *per* pound weight for every ſix pence Britiſh that ſhall be paid for the ſame, over and above the ſum of four ſhillings Britiſh at the ſales above mentioned, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusive; the price of the teas to be inſerted in the cocket, and to be further aſcertained by a reference to the ſale books of the Eaſt India company; copies whereof, or of ſuch parts thereof as ſhall relate to the teas ſo imported, atteſted by the principal accountant or deputy accountant for the time being of the Eaſt India company, the commiſſioners of the revenue are required to procure from time to time for the purpoſes above mentioned, and which copies ſhall be admitted as evidence in all proſecutions commenced or ariſing upon this act; and a further additional duty of ſix pence *per* pack for and upon all printed or playing cards, that ſhall be manufactured or vended in this kingdom between the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven and the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, over and above all other duties now payable for the ſame.

A. D. 1777-8. Chap. 2.

VIII. And be it further enacted by the authority aforesaid, That if the said wines and other merchandizes herein before mentioned, upon which the aforesaid duties are hereby charged upon the importation thereof, shall after payment thereof, or security given for the same, be again exported by any merchant or merchants, who is or are subject or subjects of this realm or any other his Majesty's dominions, within twenty four calendar months, or by merchants strangers within twelve calendar months after the importation thereof; and if due proof shall be first made by certificate from the proper officers of the due entry and payment of the said duties hereby granted, or security given for the same, and if all other requisites shall be performed which are by law required to be performed in those cases, where the duties of excise are to be repaid, that then the said duties hereby imposed shall without any delay or reward be repaid or allowed unto such merchant or merchants so exporting the same within one calendar month after demand thereof, or the security for the said duties by this act charged shall be vacated as to so much, as shall be exported; any thing herein contained to the contrary notwithstanding.

IX. And be it further enacted by the authority aforesaid, That from and after the twenty fifth day of December one thousand seven hundred and seventy seven no person or persons whatsoever shall sell or tap out by retail any cyder within this kingdom, but only such as shall be licenced according to the directions of this act, under such penalty as herein after is expressed.

X. And be it further enacted by the authority aforesaid, That from and after the twenty fifth day of December one thousand seven hundred and seventy seven it shall and may be lawful to and for the chief commissioners of his Majesty's excise, or any three of them, and the collectors of his Majesty's excise in their several and respective districts, from time to time to issue and grant such licences for the selling and tapping out cyder by retail; and that for every such licence so to be granted the sum of one shilling and one penny, and no more, shall be paid or demanded as a fee for the same; and if any person or persons shall from and after the twenty fifth day of December one thousand seven hundred and seventy seven sell or tap out cyder by retail without such licence as aforesaid, every such person so offending shall, for every time he or she shall so offend, forfeit and pay the sum of five pounds.

XI. And be it further enacted by the authority aforeſaid, That for the better ordering and collecting the ſaid duty of one penny *per* gallon for and upon all cyder that ſhall be ſold or tapped out by retail, it ſhall and may be lawful to and for the gauger or gaugers and officers of exciſe within their reſpective diſtricts from time to time from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to enter in the day time into the houſes, out-houſes, ſtore houſes, and cellars of every retailer or retailers of cyder, and to take an account of all ſuch cyder, as ſhall be found in the poſſeſſion of ſuch retailer or retailers, and to charge ſuch retailer or retailers with the ſaid duty of one penny *per* gallon accordingly.

XII. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven every retailer of cyder ſhall ſhew to the gaugers, or officers of exciſe on demand all his or her ſtock of cyder then on hand; and in caſe any ſuch retailer or retailers of cyder, or his, her, or their ſervant or ſervants (in caſe ſuch retailer or retailers ſhall not be preſent, when the gauger or officer of exciſe ſhall come to ſuch retailer's houſe to take ſtock as aforeſaid) ſhall refuſe to make declaration, and ſhew all his or her ſtock of cyder then on hand, every ſuch retailer ſhall for every ſuch offence forfeit and loſe the ſum of ten pounds; and if ſuch gauger or officer of exciſe ſhall, after declaration made as aforeſaid, find any cyder in the poſſeſſion or cuſtody of ſuch retailer or retailers over and above the quantity ſo ſhewn and declared, ſuch retailer ſhall likewiſe forfeit and loſe the ſum of ten pounds.

XIII. And be it further enacted by the authority aforeſaid, That for the better collecting the ſaid duty chargeable on every perſon who ſhall keep any carriage with four wheels (except as before excepted) every perſon, who from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, ſhall within three calendar months after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven, or within three calendar months after he or ſhe ſhall have or keep any ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, by writing under his or her hand certify to the collector of exciſe in ſome one of the diſtricts wherein he or ſhe ſhall reſide or dwell within the time aforeſaid, a true account of every ſuch coach, chariot, berlin, calaſh, and chaiſe

A. D. 1777-8. Chap. 2.

with four wheels, which he or ſhe ſhall have or keep (except hackney or ſtage carriages and carriages kept by coach makers for ſale) with the name of the place and pariſh of his or her reſidence or abode at the time of giving ſuch certificate; which ſaid certificate ſhall be kept by the reſpective collectors of the ſeveral diſtricts in this kingdom for the time being, and ſhall be alſo entered or regiſtered in an alphabetical book to be by them reſpectively kept for that purpoſe, and a copy of ſuch entry ſigned by ſuch collector or his clerk, to be delivered, if required, without fee or reward to the perſon delivering ſuch certificate; and a number ſhall be entered on each certificate ſo regiſtered; and that the ſaid collectors reſpectively ſhall under their hands on or before the twenty fifth day of December in every year give a true liſt of all coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, from time to time returned to them reſpectively in ſuch certificates, with the names of the perſons and places of their abode reſpectively mentioned in ſuch reſpective certificates to the perſons, who for the time being ſhall be appointed by ſaid commiſſioners of his Majeſty's revenue of exciſe, or any three of them, to collect and receive the ſaid duties; and that ſuch perſons, as ſhall be appointed by the ſaid commiſſioners of exciſe, or any three of them, to collect and receive the ſaid duties on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, ſhall have full power and authority to levy, collect, and receive the ſame within the diſtrict, wherein the certificate ſhall be entered, in the ſame manner as his Majeſty's revenue ariſing from fire hearths is now by law levied, collected, and received, and ſhall reſpectively ſign and deliver acquittances without fee or reward for the ſame, and ſhall keep duplicates thereof in a book to be kept for that purpoſe, in the ſame manner as acquittances are given and kept for the duty of fire hearths, and ſhall reſpectively return the book containing the duplicates of ſuch acquittances to ſuch perſon and perſons, and at the ſame time, and to be diſpoſed of in the ſame manner, as books containing the duplicate of acquittances for the ſaid duty on fire hearths are returned; and that the duties aforeſaid ſhall be paid in the reſpective diſtricts, wherein the ſaid carriages ſhall be entered or regiſtered reſpectively, and in no other.

XIV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, chargeable with the ſaid duty by virtue of this act, which ſhall not be certified in manner as aforeſaid, then and in ſuch caſe every ſuch perſon and perſons ſo having or keeping ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, not certified as aforeſaid, ſhall for ſuch neglect forfeit the ſum of twenty pounds,

to

to be ſued for, recovered, levied, and applied in ſuch manner and form, and by ſuch ways and methods as are preſcribed and appointed for the recovery of penalties in and by an act of Parliament made and paſſed in the ſaid fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted.*

XV. Provided nevertheleſs, That every perſon (except as before excepted) having in his or her keeping or poſſeſſion, any coach, chariot, berlin, calaſh, or chaiſe with four wheels, belonging to another, ſhall be charged for every ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, with the ſaid duty impoſed by this act, in the ſame manner as the owner or proprietor thereof is or ought to be charged or chargeable for the ſame by this act.

XVI. And be it further enacted by the authority aforeſaid, That the perſon or perſons, who for the time being ſhall be authorized and impowered to collect and levy the ſaid duty on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, ſhall pay the ſame to the ſaid collectors of the ſeveral diſtricts, where the ſaid duties ſhall be collected, and raiſed, and that the ſaid collectors ſhall keep ſeparate and diſtinct accounts thereof, and pay the ſame into his Majeſty's treaſury, as other money received by them for the uſe of his Majeſty.

100l. debentures may be exchanged for ſmaller,

XVII. And be it further enacted by the authority aforeſaid, That all and every perſon or perſons to whom debentures or receipts of one hundred pounds each have been given for any part of the ſaid ſeveral principal ſums formerly borrowed as aforeſaid, which ſhall remain unpaid on the ſaid twenty fifth day of December in this preſent year one thouſand ſeven hundred and ſeventy ſeven, now carrying intereſt at the rate of four pounds *per cent. per annum*, as alſo ſuch perſon or perſons, to whom ſuch debentures or receipts ſhall be given for any ſum or ſums, which ſhall or or may be borrowed in purſuance of this act, his, her, or their executors, adminiſtrators, or aſſigns, ſhall or may at his, her, or their election or choice receive in exchange for the ſame from the vice treaſurer or vice treaſurers, or paymaſter or receiver general, his or their deputy or deputies, either four debentures of twenty five pounds each, or two debentures of twenty five pounds each, and four of twelve pounds ten ſhillings each, as he, ſhe, or they ſhall think proper; ſuch debentures ſo given in exchange

A. D. 1777-8. Chap. 2.

to be numbered in ſuch manner as the vice treaſurer or vice treaſurers, paymaſter, or receiver general, his or their deputy or deputies, ſhall think fit, and to bear the ſame rate of intereſt payable at the ſame time and times with the debenture or debentures ſo exchanged as aforeſaid, which are hereby required to be cancelled; and that all and every perſon or perſons intitled, or who ſhall be intitled, to any debenture of one hundred pounds each, or to any debenture of any leſſer ſum taken in exchange for ſuch debenture of one hundred pounds each, may by indorſement on ſuch debentures or receipts transfer the right and benefit of the ſums due on the ſaid debentures or receipts, which indorſement upon notice to the vice treaſurer or vice treaſurers, his or their deputy or deputies, and an entry or memorial thereof made in the ſaid vice treaſurer's office, which the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, ſhall upon requeſt without charge, fee, or reward, make accordingly and ſhall on requeſt permit the ſame to be viewed at the uſual office hours without fee or reward, ſhall intitle the indorſee or aſſignee, his or her executors, adminiſtrators, or aſſigns, to the ſole benefit of the ſum ſo transferred or aſſigned; and that the ſaid debentures or receipts may in like manner be aſſigned or transferred by ſuch indorſee or aſſignee, his or her executors, adminiſtrators, or aſſigns, and ſo *toties quoties*; and that after ſuch aſſignment it ſhall not be in the power of the perſon or perſons, who made ſuch aſſignment, to make void, releaſe, or diſcharge the ſaid aſſignment, or to diſcharge or receive the ſum thereby transferred or aſſigned, or any part thereof.

transferable by indorſement.

XVIII. And be it further enacted by the authority aforeſaid, That all and every the ſeveral and reſpective additional and other duties and rates hereby granted, other than ſuch as are otherwiſe by this preſent act appointed, ſhall be raiſed, anſwered, collected, and paid unto his Majeſty, his heirs and ſucceſſors, during the term aforeſaid, at the ſame time, and in like manner, and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed in and by the ſaid act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relative to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes as if the ſame were particularly mentioned, ſpecified, and

enacted again in the body of this preſent act, with like remedy of appeal to and for the party grieved, as in and by the ſaid act of exciſe, or any other law or laws now in being relating to the duty of exciſe, is provided.

XIX. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons, who ſhall have upon the ſaid twenty fifth day of December, one thouſand ſeven hundred and ſeventy ſeven, or who ſhall have at any time between the ſaid twenty fifth day of December, one thouſand ſeven hundred and ſeventy ſeven, and the twenty fifth day of December, one thouſand ſeven hundred and ſeventy nine inclusive, any ſalary, profits of employment, fees, or penſions, in this kingdom, ſhall during the time aforeſaid pay unto his Majeſty the full ſum of four ſhillings ſterling out of every twenty ſhillings a year, which he, ſhe, or they do, or ſhall receive, or be entitled unto, by reaſon of ſuch ſalaries, profits of employments, fees and penſions, over and above the charges and expences of executing the ſaid employments; unleſs ſuch perſon or perſons do or ſhall live and actually reſide within this kingdom for and during the ſpace of ſix calendar months at leaſt in every ſuch year; which ſaid tax or duty of four ſhillings ſterling, payable on every twenty ſhillings a year as aforeſaid, ſhall be ſtopped and deducted yearly out of ſuch reſpective ſalaries, fees, and penſions, during the time and term aforeſaid, by the vice treaſurer or vice treaſurers, paymaſter or paymaſters, and receiver general of his Majeſty's revenue, or by ſuch perſon or perſons who is or are to pay the ſame; and which ſaid tax of four ſhillings in the pound, to be ſtopped and deducted as aforeſaid by the perſon or perſons, who is or are to pay the ſaid ſalaries, ſhall be by him or them paid to the vice treaſurer or vice treaſurers, his or their deputy or deputies, to be accounted for to his Majeſty; and alſo that the ſaid tax of four ſhillings in the pound, to be ſtopped and deducted out of the ſaid ſalaries, profits of employments, fees, and penſions, of any perſon or perſons ſo abſent as aforeſaid, ſhall be ſtopped by the reſpective deputy or deputies of ſuch perſon and perſons ſo abſent as aforeſaid, and paid by them to the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, to be accounted for to his Majeſty; and that ſuch deputy or deputies ſhall, within one calendar month after ſuch tax ſhall become due, give in upon oath an account before the lord chief baron or any of the barons of the Exchequer, or any two juſtices of the peace, of the net profits of ſuch employment or employments, for which ſuch deputy or deputies is, are, or ſhall be accountable to

their principals, which accounts such person or persons, to whom the same shall be given upon oath as aforesaid, shall forthwith send to the said vice treasurer or vice treasurers, his or their deputy or deputies; and such deputy or deputies of such person or persons so absent as aforesaid shall within one calendar month, after such account given in before the chief baron or any of the barons of the Exchequer, or any two justices of the peace as aforesaid, pay to the vice treasurer or vice treasurers, his or their deputy or deputies, the sum due and payable to his Majesty for and on account of the said tax of four shillings in the pound, chargeable upon the net profits of such employment or employments, office or offices; and in case such deputy or deputies of the person or persons so absent as aforesaid shall omit or neglect to give in upon oath such account, or to pay the said tax, within the respective times herein before for that purpose appointed, such deputy or deputies neglecting or omitting the same from the time of such omission or neglect shall be incapable of exercising or holding such deputation, and shall also forfeit the sum of one hundred pounds sterling, to be recovered by bill, plaint, or information, in any of his Majesty's courts of record at Dublin; one moiety thereof to the use of his Majesty, and the other moiety to such person or persons who shall sue for the same, in which suit no essoign, protection, wager of law, or more than one imparlance shall be allowed.

XX. And be it further enacted by the authority aforesaid, That the secretary or secretaries of the commissioners of his Majesty's revenue, and the agent and agents of the several persons who are entitled to receive any salaries, fees, or pensions, upon his Majesty's establishment, shall respectively on or about the last day of February yearly deliver in upon oath, (which oath the said lord chief baron or any of the barons of his Majesty's court of Exchequer, or any two justices of the peace, are hereby required and impowered to administer) to the best of their knowledge a list or account of such of the officers of the revenue, and of the person or persons who are entitled to receive any such salaries, fees or pensions, who shall have been absent and out of this kingdom for six calendar months in the year ending the twenty fifth day of December next preceding: and in case such secretary or secretaries, agent or agents, shall refuse or neglect to deliver in such lists respectively, he or they shall be disabled from holding and enjoying the said office of secretary or secretaries, or from being agent or agents.

XXI. Provided

XXI. Provided always, and be it further enacted by the authority aforesaid, That this act shall not extend to charge the tax or duty of four shillings sterling a year on every twenty shillings as aforesaid upon the salary, pension, fees, or profits of employments, payable to any of the descendants of his Majesty's royal grandfather, or to the lord lieutenant, or other chief governor or governors of this kingdom for the time being, or to his or their principal secretary, or to prince Ferdinand duke of Brunswick, the duke and dutchess of Athol, the right honourable Edward lord baron Hawke of the kingdom of Great Britain, or George Charles, esquire, if his Majesty shall think fit by his sign manual to exempt the said prince Ferdinand duke of Brunswick, the duke and dutchess of Athol, the said lord baron Hawke, and George Charles, or any of them, from the payment of the same; nor shall the same extend to the officers of the army, so far as respects the pay arising from their regimental commissions, nor shall the same extend to the half pay officers on the establishment of this kingdom, or the widows of officers.

No fee on payments, under this act.

XXII. And be it further enacted by the authority aforesaid, That neither the six pence *per* pound nor any other fee shall be payable to, nor be deducted or received by, the vice treasurer or vice treasurers, receiver or paymaster general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of the issuing or payment of any sum or sums of money arising by, or which shall be received for, or on account of the aids hereby granted to his Majesty, or of the said sum of one hundred and sixty six thousand pounds, or any part thereof, which shall or may be borrowed, or of any payment to be made in pursuance hereof.

100000l. of tea duty to linen manufacture,

XXIII. And be it further enacted by the authority aforesaid, That so much of the yearly produce of the said duties arising upon teas, as shall amount to the sum of ten thousand pounds yearly, shall in the first place be paid to the said trustees of the hempen and linen manufactures in this kingdom; and that so much of the residue of the said duties upon teas, as shall amount to the sum of seven thousand three hundred pounds yearly, shall be placed to the account of his Majesty's hereditary revenue; and that the surplus of the produce of such duties, together with the several other duties and aids hereby granted unto his Majesty shall in the first place be applied and paid by the vice treasurer or vice treasurers, his or their deputy or deputies, to the discharge of the interest of so much of the said several principal sums formerly borrowed as aforesaid, as shall remain unpaid on the twenty fifth day of December one thousand seven hundred

7300 to hereditary revenue,

surplus with the other duties to interest of loan due 25 December 1777, to the annuities, and loan interest of said 1666000l

A. D. 1777-8. Chap. 2.

and ſeventy ſeven, and in the next place to the payment of the annuities aforeſaid, and the expences which ſhall or may be incurred thereby purſuant to the ſaid ſeveral recited acts, and the proviſions herein after contained, and alſo to the diſcharge of the intereſt of ſuch ſum or ſums, not exceeding the ſaid ſum of one hundred and ſixty ſix thouſand pounds, as ſhall be borrowed in purſuance of this act in the manner, and at the reſpective times, and according to the rate of intereſt herein before mentioned.

13 & 14 G. 3. c. 7. continued to 25 Dec. 1779.

XXIV. And for that purpoſe, be it further enacted by the authority aforeſaid, That the herein before mentioned act, entitled, *An act to explain and amend an act paſſed in this ſeſſion of Parliament*, entitled, *An act for granting annuities in the manner therein provided to ſuch perſons, as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty five thouſand pounds*, ſhall continue until the twenty fifth day of December in the year one thouſand ſeven hundred and ſeventy nine, and no longer; and that the ſurplus or reſidue of the produce of the ſaid duties be applied towards the payment of the ſaid principal ſums formerly borrowed, carrying an intereſt at the rate of four pounds *per centum per annum*, and in the next place to the payment of the ſaid ſum of one hundred and ſixty ſix thouſand pounds, or ſo much thereof as ſhall be borrowed in purſuance of this act.

Surplus duties to principal of former loan, next to ſaid 1660000l.

Principal and intereſt due 25 Dec. 1779, paid without deduction.

XXV. And be it further enacted by the authority aforeſaid, That ſo much of the ſaid principal ſums formerly borrowed as aforeſaid, as ſhall remain due and unpaid on the ſaid twenty fifth day of December, which ſhall be in the year of our Lord one thouſand ſeven hundred and ſeventy nine, as alſo ſuch ſum or ſums of money, not exceeding one hundred and ſixty ſix thouſand pounds, as ſhall or may be borrowed in purſuance of this act, ſhall be well and truly ſatisfied and paid unto the ſeveral and reſpective perſons, their executors, adminiſtrators, and aſſigns, to whom the ſame ſhall be then due, together with ſuch intereſt for the ſame as ſhall be then due at the rate aforeſaid, without any deduction, defalcation, or abatement whatſoever.

Separate accounts of appropriated duties,

XXVI. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven, a ſeparate and diſtinct account ſhall be kept by the proper officer of the aids, duties, and taxes granted hereby, or by any other act of Parliament now

in force in this kingdom, and appropriated to particular uſes, and that the commiſſioners of his Majeſty's revenue ſhall return their weekly abſtracts from the ſeveral collectors to the accountant general, and that the accountant general ſhall return a ſeparate account of the ſeveral duties and taxes ſo appropriated to the vice treaſurer or vice treaſurers, his or their deputy or deputies; and that every collector or receiver of the ſaid duties and taxes do take a ſeparate receipt for the ſame, when paid into his Majeſty's treaſury, which ſaid receipt the vice treaſurer or vice treaſurers, his or their deputy or deputies, is and are hereby required to give accordingly.

A. D. 1777-8.

weekly abſtracts to accountant general,

ſeparate returns and receipts.

CHAP. III.

An Act for granting to his Majeſty, his Heirs and Succeſſors, ſeveral Duties upon Stamped Vellum, Parchment, and Paper.

Expired 25 Dec. 1779.

WE your Majeſty's moſt dutiful and loyal ſubjects the commons of Ireland in Parliament aſſembled, being deſirous to raiſe ſuch aids and ſupplies as may be ſufficient to ſupport with honour and dignity your Majeſty's government, do humbly preſent to your Majeſty the free gift of the rates and duties herein after mentioned, and do beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven there ſhall be throughout the kingdom of Ireland raiſed, collected, and paid unto his Majeſty, his heirs and ſucceſſors, from the twenty fifth day of December aforeſaid, till the twenty fifth day of December, which ſhall be in the year one thouſand ſeven hundred and ſeventy nine inclufive, for the ſeveral and reſpective matters and things herein after mentioned, which ſhall be written or engroſſed at any time or times from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclufive, the ſeveral and reſpective rates, impoſitions, duties, charges, and ſums of money herein after expreſſed, in manner and form following, (that is to ſay) for every ſkin or piece of vellum or parchment, on which any grants or letters patent under the great ſeal of Ireland of any honour, dignity, promotion, franchiſe, liberty, or privilege to any perſon or perſons, bodies politick or corporate, or exemplifications of the ſame, ſhall be engroſſed or written (commiſſions of rebellion in proceſs always excepted) the ſum of three pounds; for every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which any pardon (except the pardon paſſed in *forma pauperis*) of or for any crime or offence, or of any ſum of money or forfeiture whatſoever, or on which any warrant or reprieve, relaxation from any fines, corporal puniſhment, or other forfeiture, ſhall be engroſſed or written, the ſum of three pounds; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any grant from his Majeſty, his heirs or ſucceſſors, of any ſum of money exceeding one hundred pounds, which ſhall paſs the great ſeal of Ireland, ſhall be engroſſed or written, the ſum of three pounds; for every ſkin or piece of vellum or parchment, or for every ſheet of paper, upon which any grant of any office or employment, which ſhall be above the value of fifty pounds *per annum*, ſhall be written or engroſſed, the ſum of three pounds; for every

A. D. 1777-8. Chap. 3.

ſkin or piece of vellum or parchment, on which any grant of lands in fee, leaſe for years, or other grant or profit not herein particularly charged, that ſhall paſs the great ſeal of Ireland, or the ſeal of the exchequer (*ciſtodiam* leaſes excepted) ſhall be engroſſed or written, the ſum of two pounds; for every ſkin or piece of vellum or parchment, or ſheet of paper, upon which any preſentation or donation, which ſhall paſs the great ſeal of Ireland, or upon which any collation to be made by any archbiſhop or biſhop, or any preſentation or donation to be made by any patron whatſoever, of or to any benefice, dignity, or ſpiritual or eccleſiaſtical promotion whatſoever, of the value of one hundred pounds a year or upwards, ſhall be engroſſed or written, the ſum of two pounds, the value to be aſcertained by the certificate of the archbiſhop or biſhop, or vicar general of the dioceſes; provided always, that two or more benefices epiſcopally united ſhall be deemed and taken to be one benefice only; for every ſkin or piece of vellum or parchment, or ſheet of paper, on which any diſpenſation to hold two eccleſiaſtical dignities or benefices, or both a dignity and a benefice, or any other diſpenſation or faculty from the lord archbiſhop of Armagh, or maſter of the faculties for the time being, ſhall be engroſſed or written, the ſum of ſix pounds; for every ſkin or piece of vellum or parchment, ſheet or piece of paper, upon which any admiſſion of any fellow of the college of phyſicians, or of any attorney, clerk, advocate, proctor, notary, or other officer or officers in any court whatſoever, ſhall be engroſſed or written (except ſuch officer be an annual officer in any corporation or inferior court, whoſe office is under the value of ten pounds a year in ſalary, fees, or other perquiſites) the ſum of three pounds; for every ſkin or piece of vellum or parchment, or piece of paper, upon which any appeal from the court of admiralty or the prerogative court, or from any archiepiſcopal court, ſhall be engroſſed or written, the ſum of three pounds; for every ſkin or piece of vellum or parchment, or piece of paper, upon which any conveyance, ſurrender of grants or offices, releaſe, or other deed whatſoever, which ſhall be enrolled of record in any of the courts in the city of Dublin, or in any other court of record whatſoever, ſhall be engroſſed or written, the ſum of five ſhillings; for every piece of vellum or parchment, upon which any writ of covenant for levying a fine ſhall be engroſſed or written, the ſum of two ſhillings and ſix pence; for every piece of vellum or parchment, upon which any writ of entry for ſuffering a common recovery ſhall be engroſſed or written, the ſum of two ſhillings and ſix pence; for every ſkin or piece of vellum or parchment upon which any exemplification of what nature ſoever, that ſhall paſs the ſeal of any court whatſoever, ſhall be engroſſed or written, the ſum five of ſhillings; for every ſkin or piece of vellum or parchment, or piece of paper, upon which any decree or diſmiſſion made by or in the courts of chancery or exchequer ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or ſheet of paper, upon which any inſtitution that ſhall paſs the ſeal of any archbiſhop, or biſhop, chancellor, or other ordinary, or any eccleſiaſtical court whatſoever, ſhall be engroſſed or written, the ſum of five ſhillings; provided that an inſtitution to two or more benefices epiſcopally united ſhall be conſidered as to a ſingle benefice; for every ſkin or piece of vellum or parchment, or piece of paper, upon which any writ of error, certiorari, or appeal, except to the delegates, ſhall be engroſſed or written, the ſum of five ſhillings; as alſo for every ſkin or piece of vellum or parchment, or piece of paper, upon which any writ of *habeas corpus* ſhall be engroſſed or written, the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece of paper, upon which any ſentence, that ſhall be given in the court of admiralty, or upon which any attachment that ſhall be made out of the ſaid court of admiralty, or any relaxation of any ſuch attachment, ſhall be engroſſed or written, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, ſheet or piece of paper, upon which any probate of a will, or letters of adminiſtration for any eſtate above the value of thirty

pounds,

pounds, shall be engrossed or written, the sum of five shillings; for every skin or piece of vellum or parchment, sheet or piece of paper, upon which any recognizances conditioned for the payment of money, or performance of covenants or agreements, statute staple, or statute merchant, shall be engrossed or written, or entered of record in any court or office, the sum of five shillings, except such recognizances as shall be entered into by persons applying for licences to sell by retail beer, ale, wine, strong waters, or other liquors, which recognizances shall be considered as bonds, and shall pay six pence only; for every skin or piece of vellum or parchment, or piece or sheet of paper, upon which any record of *nisi prius* or *postea*, shall be engrossed or written, the sum of two shillings and six pence; for every skin or piece of vellum or parchment, or piece or sheet of paper, upon which shall be engrossed or written any judgment whatsoever, which shall be signed by the master of any office, or his deputy, or secondary, or by any prothonotary, or his secondary, deputy, or clerk, or any other officer belonging to any of the courts at the city of Dublin, who have power or usually do or shall sign judgments, a duty after the rate of two shillings and six pence for every judgment engrossed or written on such skin or piece of vellum, or parchment, or piece or sheet of paper; for every skin or piece of vellum or parchment, or piece or sheet of paper, upon which any commission issuing out of any ecclesiastical court, not herein otherwise particularly charged, shall be engrossed or written, the sum of two shillings and six pence; for every skin or piece of vellum or parchment, or piece or sheet of paper, upon which any warrant, monition, or personal decree in the court of admiralty, shall be engrossed or written (except in suits for the payment of seamen's wages) the sum of two shillings and six pence; for every piece of vellum, parchment, or paper, upon which any special bail to be taken in any of the courts of the city of Dublin, or before any of the judges of the said courts, or in any other court whatsoever, shall be engrossed or written, and for every piece of vellum, parchment, or paper, upon which shall be engrossed or written any appearance upon such special bail, the sum of one shilling; for every piece of parchment, vellum or paper, upon which any common bail to be filed in any court whatsoever, and upon which any appearance, that shall be made upon such bail, shall be engrossed or written, the sum of six pence; for every skin or piece of vellum or parchment, upon which shall be engrossed or written any bill, answer, replication, rejoinder, interrogatories, depositions taken by commissioners, or any other pleadings whatsoever in the courts of chancery or exchequer, the sum of one shilling; for every skin or piece of vellum or parchment, and for every sheet or piece of paper, upon which any admission into any corporation or company, shall be engrossed or written, the sum of six pence; for every skin or piece of parchment, or piece or sheet of paper, upon which any affidavit shall be engrossed or written (except such affidavits as shall be taken before the officers of his Majesty's customs or excise, or any justice or justices of the peace, or before a magistrate of any corporation acting as a justice of the peace, or acting in any court of conscience or of summary jurisdiction, or before any judge of assize, or commissioner of oyer and terminer relative to prosecutions or trials on indictments, or to civil bills, or that shall be made for the purpose of raising or accounting for publick money, and except affidavits made relative to the hempen and flaxen manufacture, or to the payment of corn premiums, or made before the trustees of any turnpike relative to the roads or tolls of such turnpike, or affidavits made before the Dublin society) the sum of six pence; for every skin or piece of parchment, or sheet or piece of paper, upon which any copy of such affidavit as is herein before charged, that shall be filed or read in any court whatsoever, shall be engrossed or written, the sum of six pence; for every skin or piece of vellum or parchment, or piece or sheet of paper, upon which shall be engrossed or written any indenture, lease, or deed poll, not

A. D. 1777-8. Chap. 3.

hereby otherwiſe charged (except indentures for binding poor pariſh or other poor children ſupported by publick or private charities apprentices) the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any original writ (except ſuch original upon which a writ of *capias* iſſues) *ſubpœna*, writ of *capias quominus*, writ of *dedimus poteſtatem* to take anſwers, examine witneſſes, or appoint guardians, or any other writ whatſoever, or any other proceſs or mandate that ſhall iſſue out of or paſs the ſeals of any of the courts in the city of Dublin, or any other court whatſoever holding plea, where the debt or damage doth amount to forty ſhillings or above, or the thing in demand is of that value, ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper upon which any entry of any action in the mayor's and ſheriffs courts in the city of Dublin, and in courts in all corporations, and other courts whatſoever, out of which no writs, proceſs, or mandates iſſue, holding plea where the debt or damage doth amount to forty ſhillings or above, ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum, parchment, or ſheet or piece of paper, upon which any rule or order (except in cauſes proſecuted upon indictments, or which relate to preſentments) made or given in any of the courts of the city of Dublin, either courts of law or equity, which ſhall be taken out, ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or ſheet or piece of paper, upon which any copy of ſuch rules or orders, except in cauſes proſecuted upon indictments, or which relate to preſentments entered, or the copies of any other records or proceedings in any of the ſaid courts at the city of Dublin, not hereby otherwiſe charged, ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which ſhall be engroſſed or written any citation or monition made in the prerogative court, or in any eccleſiaſtical court, or any libel or allegation, depoſition, anſwer, ſentence, or final decree, or any inventory exhibited in the prerogative court, or in any eccleſiaſtical court, or the court of admiralty, or whereupon any copies of them reſpectively ſhall be engroſſed or written except in ſuits for recovery of ſeamen's wages, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any charter party, policy of aſſurance, paſſport, bond, releaſe, contract, or other obligatory inſtrument, or any proteſt, procuration, letter of attorney, or any other notarial act whatſoever, ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any declaration, plea, replication, rejoinder, demurrer, or other pleadings whatſoever in any court of law, ſhall be engroſſed or written, the ſum of one penny; for every ſkin or piece of vellum or parchment, piece or ſheet of paper, upon which any copy thereof ſhall be written or engroſſed, the ſum of one penny; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any depoſitions taken in the court of chancery or court of exchequer (except the paper drafts of depoſitions taken by virtue of any commiſſion before they are engroſſed) which are not herein before charged, or upon which any copy of any bill, anſwer, plea, demurrer, replication, rejoinder, interrogatory, depoſitions, or other proceedings whatſoever in any court of equity, ſhall be engroſſed or written, the ſum of one penny; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which a copy, atteſted by the proper officer of the prerogative court, or any eccleſiaſtical court, of any will, ſhall be engroſſed or written, the ſum of one penny; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which ſhall be engroſſed or written any certificate or debenture for drawing back any cuſtoms or duties for or in reſpect of the re-ſhipping or exporting of any goods or merchandizes, which at any time or times from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand

ſeven hundred and ſeventy nine inclusive ſhall be exported, or ſhipped to be exported, from the kingdom of Ireland for any parts beyond the ſeas, to be paid by the perſon for whoſe benefit or at whoſe inſtance ſuch debenture or certificate ſhall be obtained, the ſum of four pence; for every almanack or calendar for any one particular year, or for any time leſs than a year, which ſhall be printed on one ſide only of any one ſheet or piece of paper only, the ſum of one penny; for every other almanack or calendar for any one particular year the ſum of two pence. Provided always, That nothing in this act contained ſhall be conſtrued to extend to charge any calendar or perpetual almanack in any bible or common prayer book, or to charge any other calendar or almanack with more than the duty, that would be payable by this act for ſuch other calendar or almanack, in caſe it were made for three years only. Provided that for every printed almanack or calendar, made to ſerve for ſeveral years, the reſpective rates aforeſaid ſhall be paid for every ſuch year. For all papers containing publick news, intelligence, or occurrences, a duty of one halfpenny for every ſheet or piece of paper leſs than a ſheet, on which ſuch news, intelligence, or occurrences, ſhall be printed; for every pamphlet or paper not exceeding ſix ſheets in octavo, or in a leſſer page, or not exceeding twelve ſheets in quarto, or twenty ſheets in folio, ſo printed, a duty after the rate of one ſhilling ſterling for every ſheet of any kind of paper, which ſhall be contained in one printed copy or impreſſion thereof; for every advertiſement to be contained in or publiſhed with any gazette, news paper, or journal, to be publiſhed weekly or oftner, or in any other printed paper or pamphlet whatſoever, being diſperſed or made publick yearly, monthly, or at any other interval of time, the ſum of two pence.

II. And be it further enacted by the authority aforeſaid, That every deed, inſtrument, note, memorandum, letter, or other muniment or writing, for or relating to the payment of any ſum of money or for making any valuable conſideration for or upon the loſs of any ſhip, veſſel, goods, wages, money, effects, or upon any loſs by fire, or for any loſs whatſoever, or for or upon any life or lives, ſhall be conſtrued, deemed, and adjudged to be policies of aſſurance within the meaning of this act.

III. And be it further enacted by the authority aforeſaid, That every deed, inſtrument, note, memorandum, letter, or other muniment or writing, between the captain or maſter, or owner of any ſhip or veſſel, and any merchant, trader, or other perſon, in reſpect to the freight or conveyance of any money, goods, wares, merchandizes, or effects, laden, or to be laden on board of any ſuch ſhip or veſſel, ſhall be deemed and adjudged to be a charter party within the meaning of this act.

IV. And for preventing abuſes committed by arreſting perſons without any writ or legal proceſs to juſtify the ſame, by means whereof the duty, hereby given to the crown upon ſuch proceſs, will be loſt, be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven every officer or clerk belonging, or which ſhall hereafter belong, to the court of king's bench, common pleas, or exchequer, who ſhall ſign any writ or proceſs before judgment to arreſt any perſon or perſons thereupon, ſhall at the ſigning thereof ſet down upon ſuch writ or proceſs the day and year of the ſigning the ſame; which ſhall be entered upon the remembrance roll, or in the book where the abſtract of ſuch writ or proceſs ſhall be entered, upon pain to forfeit the ſum of ten pounds for every offence or neglect of ſuch officer or clerk aforeſaid; to be recovered by any perſon who ſhall ſue for the ſame in any court of record of his Majeſty, his heirs or ſucceſſors, by action of debt, bill, plaint, or information, wherein no wager of law, protection, or eſſoign or more than one imparlance ſhall be allowed.

V. And be it further enacted by the authority aforeſaid, That all books and pamphlets, ſerving chiefly for the purpoſe of an almanack, by whatſoever name or names entitled or deſcribed, are and ſhall be charged with the duty impoſed by

A. D. 1777-8. Chap. 3.

by this act on almanacks, but not with any of the duties charged by this act on pamphlets, or any other printed papers; any thing herein contained to the contrary notwithſtanding.

VI. Provided always, That this act, or any thing therein contained ſhall not extend to charge any bills of exchange, accounts, bills of parcels, bills of fees, or any bills or notes (not ſealed) for payment of money at ſight, or upon demand, or at the end of certain days of payment.

VII. Provided alſo, That nothing in this act contained, ſhall extend to charge the probate of any will or letters of adminiſtration of any common ſeaman or ſoldier, who ſhall be ſlain or die in his Majeſty's ſervice, a certificate being produced from the captain or commander of the ſhip or veſſel, or captain or commanding officer of the troop or company under whom ſuch ſeaman or ſoldier ſerved at the time of his death, and oath (or if by a quaker a ſolemn affirmation) ſhall be made of the truth thereof before the proper judge or officer, by whom ſuch probate or adminiſtration ought to be granted, which oath or affirmation ſuch judge or officer is hereby authorized and required to adminiſter, and for which no fee or reward ſhall be taken.

VIII. Provided alſo, That none of the rates, duties, or ſums of money, before in this act expreſſed, ſhall be raiſed, levied, collected, or paid, or be payable unto his Majeſty by virtue of this act, by any perſon or perſons that ſhall be admitted to ſue or defend in *forma pauperis*, ſo far as relates to the ſuit, in which he or they ſhall be ſo admitted to ſue or defend.

IX. Provided alſo, That this act, or any clauſe therein contained, ſhall not be conſtrued to charge with any duty any warrant made by, or recognizance taken before any juſtice or juſtices of the peace, or any proceedings of any court martial which relate to any trial of any common ſoldier, but ſuch warrants, recognizances, and proceedings, ſhall and are hereby declared to be exempted from the payment of any of the duties before mentioned in this act.

X. Provided alſo, That this act ſhall not extend to charge any acts of Parliament, proclamation, order of council, forms of prayer and thankſgiving, or any acts of ſtate, which ſhall be ordered by his Majeſty, his heirs or ſucceſſors, or by the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being, to be printed, or the printed votes, or other matters which are or ſhall be ordered to be printed by either houſe of Parliament, with any of the ſaid duties on pamphlets or news papers, or to charge any books commonly uſed in any of the ſchools of Ireland, or any books containing only matters of devotion or piety, with the ſaid duties on pamphlets, or to charge any ſingle advertiſement printed by itſelf, or the daily accounts, or bills of goods imported and exported, or the weekly bills of mortality (ſo as ſuch accounts or bills do contain no other matters, than what have been uſually comprized therein) with any the duties aforeſaid; any thing herein contained to the contrary notwithſtanding.

XI. And be it further enacted by the authority aforeſaid, That for the better and more effectual levying, collecting, and paying unto his Majeſty, his heirs and ſucceſſors, the ſeveral and reſpective duties hereby granted, it ſhall and may be lawful for his Majeſty, or the lord lieutenant, or other chief governor or governors of this kingdom for the time being, from time to time to nominate and appoint ſuch perſons, as his Majeſty, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, ſhall think fit, to be commiſſioners or officers for the ſtamping and marking of parchment, vellum, and paper, and managing the duties thereupon; and that the commiſſioners, ſo to be appointed, ſhall keep their head office in ſome convenient place within the city of Dublin: And the ſaid commiſſioners, or the major part of them, are hereby empowered under their hands and ſeals to appoint ſuch other inferior officers with the conſent and approbation of the lord lieutenant, or other chief governor or governors of this kingdom for the time being, for the marking or ſtamping of vellum, parchment,

and

and paper, or for the better collecting or levying the duties hereby granted to his Majesty, his heirs and successors, as they in their discretion shall think proper.

XII. Provided always, and be it further enacted by the authority aforesaid, That the several commissioners and officers for the stamping or marking vellum, parchment, and paper, and managing the duties thereupon, appointed by his excellency the late lord lieutenant in pursuance of an act passed in the thirteenth and fourteenth years of his Majesty's reign, entitled, *An act for granting to his Majesty, his heirs and successors, several duties upon vellum, parchment, and paper*, and also by one other act, passed in the session of Parliament holden in the fifteenth and sixteenth years of his Majesty's reign, entitled, *An act for granting unto his Majesty, his heirs and successors, several duties upon stamped vellum, parchment, and paper*, and the several inferior officers appointed by the said commissioners in pursuance of the said acts, as also such other commissioners and officers as shall be hereafter appointed pursuant to this act, shall, during the continuance of this act, for the more effectual levying the several duties hereby granted continue to act in the several offices to which they have been or shall be so appointed, in like manner, with the same powers and authorities, and subject to the same restrictions and limitations, as are mentioned in the said recited acts, or one of them, unless they shall be sooner removed from such offices by the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being, or by the said commissioners, with the consent and approbation of the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being.

XIII. And be it further enacted by the authority aforesaid, That the several types, marks, or stamps, already provided by the said commissioners for the several and respective duties granted by the said recited act, shall continue to be used for the stamping and impressing of all vellum, parchment, and paper, on which any of the several and respective things herein before charged shall be engrossed or written; and that the said types, marks, or stamps, or any of them, shall or may be altered, or renewed from time to time, as his Majesty, his heirs and successors, or the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being, shall think fit, so as publick notification thereof be given by proclamation, to be issued under the great seal of Ireland, a convenient time before the said types, marks, or stamps, shall be altered or renewed, to the end that all persons may have due notice thereof.

XIV. And that all courts of justice and judges whatsoever shall without any allegation or proof on that behalf take judicial notice of the several types, marks, and stamps, heretofore appointed by virtue of the said recited acts, and of all types, marks, and stamps, which shall or may be hereafter published by virtue of any proclamation or proclamations, which shall or may be issued as and for the true and lawful types, marks, and stamps, to be made use of in pursuance of this act.

XV. And be it further enacted by the authority aforesaid, That the commissioners in providing types, marks, and stamps from time to time shall take care, they be so contrived, that the impression thereof may be durable, and that the same may be least liable to be forged or counterfeited.

XVI. And be it further enacted by the authority aforesaid, That the commissioners heretofore constituted or hereafter to be constituted by his Majesty, his heirs or successors, or by the lord lieutenant or other chief governor or governors of this kingdom for the time being as aforesaid, shall and may from time to time, as they shall see occasion, appoint a fit person to attend in any court or office to take notice of the vellum, parchment, or paper, upon which any of the matters or things aforesaid shall be engrossed, written, or put, and of the marks or stamps thereupon, and of all other matters and things tending to secure his Majesty's duties arising by this act; and that the judges in the several courts, and such others to whom it may appertain, at the request or requests of the said commissioners, or of any two or more of them, shall make such orders in the

A. D. 1777-8. Chap. 3.

reſpective courts, and do ſuch other matters and things for the better ſecuring of the ſaid duties, as ſhall be lawfully and reaſonably deſired in that behalf; and that every commiſſioner and other officer hereafter to be appointed, before he proceeds to the execution of this act, ſhall take the oath following, that is to ſay:

I. A. B. do ſwear, that I will faithfully execute the truſt repoſed in me purſuant to an act of Parliament, entitled, An act for granting to his Majeſty, his heirs and ſucceſſors ſeveral duties upon ſtamped vellum, parchment, and paper, *without fraud or concealment, and will from time to time true account make of my doings therein, and deliver the ſame to ſuch perſon or perſons, as his Majeſty, his heirs or ſucceſſors, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, hath appointed, or hereafter ſhall appoint, to receive ſuch account, and will take no fee, reward, or profit for the execution or performance of the ſaid truſt, or the buſineſs relating thereunto, from any perſon or perſons, other than ſuch as ſhall be paid or allowed by his Majeſty, his heirs or ſucceſſors, or by ſome other perſon or perſons for that purpoſe authorized by his Majeſty, or by the lord lieutenant or other chief governor or governors of this kingdom for the time being.*

And ſuch oath ſhall and may be adminiſtered to any ſuch commiſſioner or commiſſioners by any two or more of the ſame commiſſioners, whether they ſhall have taken the ſame previouſly or not; and any of the ſaid commiſſioners, or any juſtice of the peace within the kingdom of Ireland, ſhall and may adminiſter the like oath to any ſubordinate officer.

XVII. And be it further enacted by the authority aforeſaid, That the ſaid commiſſioners, and other officers heretofore appointed or hereafter to be appointed as aforeſaid, and all officers employed, or to be employed, or intruſted by or under them as aforeſaid, ſhall from time to time in and for the better execution to their ſeveral places and truſts obſerve and perform ſuch rules, methods, and orders, as they reſpectively have received or ſhall receive from time to time from the lord lieutenant or other chief governor or governors of this kingdom for the time being; and that the ſaid commiſſioners ſhall take ſpecial care, that the ſeveral parts of this kingdom from time to time be ſufficiently furniſhed with vellum, parchment, and paper, ſtamped or marked as aforeſaid, ſo as his Majeſty's ſubjects may have it in their election to buy the ſame of the officers or perſons to be employed by the ſaid commiſſioners at the uſual or moſt common rates above the ſaid duty, or to bring their own vellum, parchment, or paper to be ſtamped as aforeſaid, or to furniſh themſelves or others that ſhall have done the ſame.

XVIII. And to the end that his Majeſty may not be defrauded of any of the duties hereby granted, be it further enacted by the authority aforeſaid, That all records, writs, pleadings, and other proceedings, in courts of law and equity, and all deeds, inſtruments, and writings whatſoever, hereby charged, ſhall be engroſſed or written in ſuch manner, as they have been uſually accuſtomed to be written, or are now written.

XIX. And be it further enacted by the authority aforeſaid, That all writings, matters, and things, in reſpect whereof any of the ſaid duties ſhall be payable, and which ſhall be engroſſed or written after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven, ſhall be written in ſuch manner that ſome part thereof ſhall be either upon, or as near as conveniently may be to, the ſtamps or marks which ſhall in purſuance of this act be placed on the vellum, parchment, or paper, whereupon the ſame ſhall be written or engroſſed, upon pain that the perſon, who ſhall write or engroſs, or cauſe to be written or engroſſed, any ſuch writing, matter, or thing contrary to the tenor and true meaning hereof, ſhall for every ſuch offence forfeit the ſum of ten pounds, with full coſts of ſuit.

XX. And be it further enacted by the authority aforeſaid, That all vellum, parchment, and paper, hereby intended to be charged, with the ſeveral and reſpective duties aforeſaid, ſhall, before any of the matters or things herein before mentioned be thereupon engroſſed or written, be brought to the head office aforeſaid,

to be ſtamped and marked; and the ſaid commiſſioners and officers are hereby required upon demand of the perſon or perſons ſo bringing the ſame forthwith without fee or reward to ſtamp or mark any quantities or parcels of vellum, parchment, or paper ſo brought, ſuch perſon or perſons paying to ſuch officer or officers, as ſhall be appointed in that behalf, the reſpective duties hereby directed to be paid for the ſame.

XXI. And be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall be arreſted from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven by any writ, bill, or proceſs iſſuing out of any of his Majeſty's courts of record in Dublin, at the ſuit of any common perſon, and the ſheriff or other officer ſhall take bail from ſuch perſon, againſt whom ſuch writ, bill, or proceſs is taken out, the ſheriff or other officer at the requeſt and coſts of the plaintiff in ſuch action or ſuit, or his lawful attorney, ſhall aſſign to the plaintiff in ſuch action the bail bond, or other ſecurity taken from ſuch bail, by indorſing the ſame, and atteſting it under his hand and ſeal, in the preſence of two or more credible witneſſes, which may be done without any ſtamp, provided the aſſignment ſo indorſed, be duly ſtamped before any action be brought thereupon; and alſo that from and after the twenty fifth day of December, one thouſand ſeven hundred and ſeventy ſeven, all ſheriffs and other officers having authority to grant replevins, when and as often as it ſhall become neceſſary for ſuch ſheriff or other officer to aſſign any bond of any plaintiff in replevin to the avowant, ſuch aſſignment may be made without any ſtamp, provided the aſſignment ſo made be duly ſtamped before any action brought thereupon.

XXII. And be it further enacted by the authority aforeſaid, That if any commiſſioner or other officer, appointed or to be appointed as aforeſaid, ſhall fix any ſuch mark or ſtamp to any vellum, parchment, or paper, before the ſeveral and reſpective duties thereupon charged by this act ſhall be duly anſwered and paid, or be ſecured to be paid to his Majeſty's uſe, he ſhall for every ſuch offence forfeit the ſum of one hundred pounds; one moiety thereof to his Majeſty, his heirs and ſucceſſors, and the other moiety to him or them that ſhall inform or ſue for the ſame in any of his Majeſty's courts of record.

XXIII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons hath or have engroſſed or written, or cauſed to be engroſſed or written, at any time ſince the commencement of the ſaid recited acts, or ſhall at any time hereafter engroſs or write, or cauſe to be engroſſed or written, upon any vellum, parchment, or paper, any of the matters or things, for which the ſaid vellum, parchment, or paper was chargeable by the ſaid recited acts, or is hereby charged to pay any duty, before ſuch time as the ſaid vellum, parchment, or paper hath been or ſhall be marked or ſtamped as aforeſaid, or upon which there was not or ſhall not be ſome ſtamp or mark reſembling the ſame, or hath or have engroſſed or written, or cauſed to be engroſſed or written, or ſhall engroſs or write, or cauſe to be engroſſed or written, any matter or thing upon any vellum, parchment or paper, that hath been or ſhall be ſtamped or marked for any lower duty, than the duty by the ſaid recited acts or this act payable for what hath been or ſhall be ſo engroſſed or written, then and in every ſuch caſe there ſhall be duly anſwered and paid to his Majeſty, his heirs or ſucceſſors, over and above the duty aforeſaid, for every ſuch deed, inſtrument, or writing, the ſum of ten pounds; and no ſuch record, deed, inſtrument, or writing ſhall be pleaded or given in evidence in any court, or admitted in any court to be good or available in law or equity, until as well the ſaid duty as the ſaid ſum of ten pounds ſhall be firſt paid to his Majeſty's uſe, and a receipt produced for the ſame under the hand or hands of ſome of his Majeſty's officers appointed to receive the duties above mentioned, and until the vellum, parchment, or paper, on which ſuch deed, inſtrument, or writing, hath been or ſhall be written or made, ſhall be marked or ſtamped with a lawful mark or ſtamp;

A. D. 1777-8. Chap. 3.

and the proper officer and officers are hereby enjoined and required, upon payment or tender of the said duty and sum of ten pounds, unto him or them, to give a receipt for the same, and to mark or stamp the said vellum, parchment, or paper, with the mark or stamp that shall be proper for such deed, instrument, or writing respectively.

XXIV. And be it further enacted by the authority aforesaid, That if any person or persons shall engross or write, or cause to be engrossed or written, upon any vellum, parchment, or paper, any of the matters or things for which the said vellum, parchment, or paper is hereby charged to pay any duty, before such time as the said vellum, parchment, or paper, shall be marked or stamped as aforesaid, or upon which there shall not be some stamp or mark resembling the same, or shall engross or write, or cause to be engrossed or written, any matter or thing upon any vellum, parchment, or paper that shall be marked or stamped for any lower duty, than the duty by this act payable for what shall be so engrossed or written; such person so offending shall for every such offence forfeit the sum of five pounds, one moiety thereof to his Majesty, his heirs and successors, and the other moiety to him or them that will inform or sue for the same.

XXV. And be it further enacted by the authority aforesaid, That in case any clerk, officer, or person, who in respect of any publick office or employment is or shall be entitled or intrusted to make, engross, or write any records, deeds, instruments, or writings, by this act charged to pay a duty as aforesaid, shall be wilfully guilty of any fraud or practice to deceive his Majesty of any duty by this act payable by making, engrossing, or writing any such record, deed, instrument, or writing, or by causing the same to be made, engrossed, or written, upon vellum, parchment, or paper, not marked or stamped according to this act, or upon which there shall not be some stamp or mark resembling the same, or upon vellum, parchment, or paper, marked or stamped with any mark or stamp, which he shall know to be counterfeited, or by wilfully engrossing or writing any such deed, instrument, or other writing, upon vellum, parchment, or paper, which he shall know to be marked or stamped for a lower duty as aforesaid, then every such clerk, officer, or person so guilty of any such fraud or practice, and being thereof lawfully convicted, shall forfeit his office, place, or employment respectively, and be disabled to hold or enjoy the same for the future; and if any attorney belonging to any court whatsoever shall wilfully be guilty of any such fraud or practice as aforesaid, and be convicted thereof, he shall be disabled for the future to practice as an attorney.

XXVI. And be it further enacted by the authority aforesaid, That if any person or persons shall write or engross, or cause to be written or engrossed, either the whole or any part of any matter or thing, in respect whereof any duty is payable by this act, upon any part of any piece of vellum, parchment, or paper, whereon there shall have been before engrossed, written, or printed, any other matter or thing, in respect whereof any duty is payable by this act, before such vellum, parchment, or paper shall have been again marked or stamped according to this act, or shall fraudulently erase or scrape out, or cause to be erased or scraped out, the name or names of any person or persons, or any sum, date, or other thing engrossed, written or printed in such instrument, writing, matter, or thing as aforesaid, or fraudulently cut, tear, or get off any mark or stamp from any piece of vellum, parchment, or paper, or any part thereof, with intent to use such stamp or mark for any other writing, matter, or thing, in respect whereof any duty shall be payable by virtue of this act, then so often, and in every such case, every person so offending in any of the particulars before mentioned, shall for every such offence forfeit the sum of fifty pounds.

XXVII. Provided always, and be it further enacted by the authority aforesaid, That as often as his Majesty, or the lord lieutenant, or other chief governor or governors of this kingdom for the time being, shall think fit to alter or renew

the

the ſaid marks or ſtamps, or any of them, it ſhall be lawful for all perſons, who ſhall at that time have in their cuſtody or poſſeſſion any vellum, parchment, or paper, marked with the mark or ſtamp which ſhall have been ſo altered or renewed, upon which none of the matters or things hereby charged ſhall have been engroſſed or written, at any time within the ſpace of ſixty days after ſuch intention of renewing or altering ſhall be publiſhed by proclamation as aforeſaid, to bring or ſend ſuch vellum, parchment, or paper unto the ſaid commiſſioners to the head office in the city of Dublin, or to ſuch other officers appointed as aforeſaid; and the ſaid commiſſioners and officers reſpectively are hereby required to deliver, or cauſe to be delivered, unto the ſeveral perſons, who ſhall ſo bring and deliver any quantity of vellum, parchment, or paper, the like quantity of vellum, parchment, or paper, and as good in quality, ſtamped with ſuch new ſtamps or marks, without demanding or taking directly or indirectly for the ſame any ſum of money or other conſideration whatſoever, under the penalty of forfeiting for every offence one hundred pounds; to be ſued for, recovered, and divided, in ſuch manner as the other penalties in this act are directed to be ſued for, recovered, and divided; and in caſe any perſon ſhall neglect or refuſe within the time aforeſaid to bring or cauſe to be brought and delivered unto the ſaid commiſſioners and officers as aforeſaid, any ſuch vellum, parchment, or paper, the ſame is hereby declared to be of no other effect or uſe, than if it had never been ſtamped; and that all matters or things, which ſhall after that time be engroſſed or written thereon, ſhall be of no other effect, than if they had been engroſſed or written on vellum, parchment, or paper, not marked or ſtamped at all; and all perſons, who ſhall engroſs or write any of the matters or things hereby charged on ſuch vellum, parchment, or paper, after the ſaid time, ſhall forfeit and ſuffer, as herein before is enacted for perſons writing or engroſſing on vellum, parchment, or paper, not marked or ſtamped.

XXVIII. Provided always, and be it further enacted by the authority aforeſaid, That as often as his Majeſty, his heirs or ſucceſſors, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, ſhall think fit to alter the ſaid ſtamps, or any of them, the proclamation, which is hereby intended to be made for the giving all perſons due notice thereof, ſhall within twenty days after the date thereof be ſent to the mayor, chief magiſtrate, or other head officer of every city, corporation, borough, and market town throughout the kingdom of Ireland; which officers reſpectively ſhall cauſe the ſame to be publiſhed to the inhabitants of ſuch city, corporation, borough, or town, either on the next market day, or the next Sunday in the church immediately after the time of divine ſervice, upon pain of forfeiting the ſum of fifty pounds; to be ſued for by action of debt, bill, plaint, or information in any of his Majeſty's courts of record at Dublin, wherein no eſſoign, protection, wager of law, privilege, or more than one imparlance ſhall be granted or allowed; the one moiety of which forfeiture to be to his Majeſty, his heirs or ſucceſſors, the other moiety to ſuch perſon who ſhall ſue for the ſame.

XXIX. And for the better diſtribution of the ſaid vellum, parchment, and paper, and that the ſubjects may have the ſame with more convenience, and at an eaſy rate, be it further enacted by the authority aforeſaid, That the lord lieutenant, or other chief governor or governors of this kingdom for the time being, ſhall once in every year at leaſt ſet the prices of all ſorts of ſtamped vellum, parchment, or paper, at which the ſame ſhall be ſold; and that the ſaid commiſſioners for managing the ſaid duties upon vellum, parchment, and paper, ſhall ſtamp the ſaid price ſo ſet upon every ſkin or piece of vellum or parchment, or ſheet or piece of paper, ſo by them to be ſold; and that the ſaid commiſſioners ſhall likewiſe allow and pay to every perſon, that ſhall bring vellum, parchment, or paper, to the ſaid head office to be ſtamped in purſuance of this act, the duties

A. D. 1777-8. Chap. 3.

whereof hereby impoſed ſhall amount to the ſum of ten pounds or upwards, after the rate of ſix pounds in the hundred pounds *per annum* for ſix months, upon preſent payment of the ſaid duty upon the ſaid vellum, parchment, or paper ſo by them brought; and that any perſon or perſons, who ſhall buy of the ſaid commiſſioners or their agents vellum, or parchment, or paper, at the head office for ſtamping the ſame, the duty whereof ſhall amount to the like ſum of ten pounds or upwards, ſhall have the ſame allowance for preſent payment.

XXX. Provided always, That all vellum, parchment, and paper, which ſhall have been ſtamped or marked, and ſhall have paid the duties granted by virtue of the ſaid recited act, ſhall and may be uſed for the purpoſes thereby intended, without any additional ſtamp, mark, or duty, any thing in this act to the contrary notwithſtanding.

XXXI. And for the better collecting and ſecuring the duties hereby charged on pamphlets, be it further enacted by the authority aforeſaid, That one printed copy of every ſuch pamphlet, which from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven, ſhall be printed or publiſhed within the city of Dublin, ſhall within the ſpace of ſix days after the printing thereof be brought to the ſaid head office for marking or ſtamping of vellum, parchment, and paper, and the title thereof, with the number of ſheets contained therein, and the duty hereby charged thereon, ſhall be regiſtered in or entered in a book to be there kept for that purpoſe, which duty ſhall be thereupon paid to the proper officer or officers appointed to receive the ſame, or his or their deputy or clerk, who ſhall thereupon forthwith give a receipt for the ſame on ſuch printed copy, to denote the payment of the duty hereby charged on ſuch pamphlet; and that one printed copy of every ſuch pamphlet, that ſhall be printed or publiſhed in any place, not being within the city of Dublin, laſt before mentioned, ſhall within the ſpace of fourteen days after the printing thereof be brought to ſome head collector of the ſaid ſtamp duties, who is hereby required forthwith to enter the title thereof, with the number of ſheets contained therein, and the duty hereby charged thereon, in a book to be by him kept for that purpoſe, which duty ſhall be thereupon paid to ſuch collector, who ſhall thereupon give a receipt for the ſame on ſuch printed copy.

XXXII. And be it further enacted by the authority aforeſaid, That if any ſuch pamphlet ſhall be printed or publiſhed, and the duty hereby charged thereon ſhall not be duly paid, and the title and number of ſheets thereof ſhall not be regiſtered, and a receipt for ſuch duty given on one copy thereof, within the reſpective times herein before for theſe ſeveral purpoſes limited, then the printer and publiſher, and all other perſons concerned in or about the printing or publiſhing of ſuch pamphlet, ſhall for every ſuch offence forfeit the ſum of twenty pounds.

XXXIII. And be it further enacted by the authority aforeſaid, That no printer, or any other perſon or perſons whatſoever, ſhall publiſh any news paper, intelligence, or occurrences, or any paper ſerving the purpoſe of a news paper, intelligence, or occurrences, before he or they ſhall have entered into ſecurity for the payment of the duty on advertiſements, which ſhall be printed therein or thereupon, upon pain that every perſon ſo offending herein ſhall for every ſuch offence forfeit the ſum of twenty pounds.

XXXIV. And be it further enacted by the authority aforeſaid, That no perſon whatſoever ſhall ſell, or expoſe to ſale, any ſuch pamphlet, or any news paper, without the true reſpective name or names and place or places of abode of ſome known perſon or perſons, by or for whom the ſame was really and truly printed or publiſhed, written or printed thereon, upon pain that every perſon offending herein ſhall for every ſuch offence forfeit the ſum of twenty pounds.

XXXV. And be it further enacted by the authority aforesaid, That no officer appointed for distributing stamped vellum, parchment, or paper in this kingdom, shall sell or deliver any stamped paper for printing any publick news, intelligence, or occurrences to any person, unless such person shall give security to the said officer for the payment of the duties for the advertisements, which shall be printed therein or thereupon.

XXXVI. And in regard of the uncertainty how many copies of the said printed news papers may be sold, and to the intent the duties hereby granted thereupon may not be lessened by printing a less number, than may be sold, out of fear of loss thereby in printing more such copies than may happen to be sold, it is hereby provided, and be it further enacted by the authority aforesaid, That the commissioners for managing the said stamp duties, or the major part of them, or the head officer appointed for the time being in that behalf, shall and may cancel or cause to be cancelled all the stamps upon the copies of any impression of such news paper, which shall really and truly remain unsold in the hands of the person or persons, by or for whom the same shall be printed or published; and upon oath or oaths (or if by a quaker upon solemn affirmation) made before said commissioners, or any one of them, or such head officer, to the satisfaction of such commissioners or head officer, that all such copies containing the stamps, so tendered to be cancelled, are really and truly remaining unsold in the hands of the person or persons, by or for whom the same were printed or published, and that none of the said copies have been fraudulently returned or rebought, after the same shall have been sold or disposed of, or any profit or advantage made thereof, which oath or affirmation the said commissioners, or any one of them, and the said head officers respectively, are hereby authorized to administer, and to examine upon oath or affirmation into all circumstances relating to the selling or disposing of such printed copies, shall and may deliver, or cause to be delivered, the like number of other sheets, half sheets, or less pieces of paper, properly stamped with the same respective stamps, upon payment made for such paper; but no duty shall be taken for the stamps thereon.

XXXVII. And be it further enacted by the authority aforesaid, That from and after the twenty fifth day of December one thousand seven hundred and seventy seven, it shall be lawful for all persons, who shall at any time have in their custody or possession any stamped vellum, parchment, or paper written or engrossed, which shall be inadvertently and undesignedly spoiled, obliterated, or by any other means rendered unfit for the purpose intended, before the same is executed by any party or parties, and which in either case shall not have been used for any other purpose, or in any other manner whatsoever, nor any money or other consideration paid or given to the attorney, solicitor, or other person, employed to transact the business intended to have been carried into execution by such writing or engrossment, or to the writer or engrosser thereof, for the duty or duties marked, stamped, or impressed thereon, to bring or send such stamped vellum, parchment, or paper, unto the said commissioners of the stamp duties at their head office in Dublin; and upon oath (or if by a quaker upon solemn affirmation) made to the satisfaction of the said commissioners, (which oath or affirmation the said commissioners are, or any one of them is, hereby authorized to administer) that such stamped vellum, parchment, or paper, so written or engrossed upon, or spoiled, obliterated, or by any other means rendered unfit for the purpose intended, hath not been executed by any party or parties, or used for any other purpose, or in any other manner whatsoever, and that no money or other consideration hath been paid or given for the duty or duties marked, stamped, or impressed thereupon, (save and except the money first paid for such duty or duties to the said commissioners, or

A. D. 1777-8. Chap. 3.

the receiver general of the ſtamp duties, or other proper officer appointed to collect and receive the ſame) the ſaid commiſſioners are hereby required to ſtamp and mark, or cauſe to be ſtamped and marked, for the ſeveral perſons, who ſhall ſo bring and deliver any quantity of ſtamped vellum, parchment, or paper, ſo written or engroſſed upon, ſpoiled, obliterated, or by any other means rendered unfit for uſe or ſervice, the like quantity of vellum, parchment, or paper, with the ſeveral and reſpective duties, ſtamped, marked, or impreſſed, on the vellum, parchment, or paper, ſo written or engroſſed upon, ſpoiled, obliterated, or by any other means rendered unfit for uſe or ſervice, without demanding or taking directly or indirectly for the ſame any ſum of money or other conſideration whatſoever; and the ſaid commiſſioners for managing the ſtamp duties for the time being are hereby impowered from time to time to make ſuch rules and orders for regulating the methods and limiting the times for ſuch cancelling and allowance as aforeſaid with reſpect to ſuch news papers and other matters, as they ſhall upon experience and conſideration of the ſeveral circumſtances find neceſſary or convenient for the effectual ſecuring the duties thereon, and doing juſtice to the perſons concerned therein.

XXXVIII. Provided always, and be it further enacted by the authority aforeſaid, That the ſaid commiſſioners and other officers for managing the ſtamp duties ſhall and may deliver to any perſon, by or for whom any almanack or almanacks ſhall be printed, paper marked or ſtamped according to the true intent and meaning hereof for the printing ſuch almanack or almanacks upon his or her giving ſufficient ſecurity to pay the amount of the duties hereby charged thereon within the ſpace of three months after ſuch delivery; and that the ſaid commiſſioners and officers, upon bringing to them any number of the copies of ſuch almanacks within the ſpace of three months from the ſaid delivery, and requeſt to him or them in that behalf made, ſhall cancel all the ſtamps upon ſuch copies, and abate to ſuch perſon ſo much of the money due upon ſuch ſecurity, as ſuch cancelled ſtamps ſhall amount to.

XXXIX. Provided always, That where any almanack ſhall contain more than one ſheet of paper, it ſhall be ſufficient to ſtamp only one of the ſheets or pieces of paper, upon which ſuch almanack ſhall be printed, and to pay the duty accordingly.

XL. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fifth day of December, one thouſand ſeven hundred and ſeventy ſeven, in caſe any perſon or perſons ſhall ſell, hawk, carry about, utter, or expoſe to ſale any almanack or calendar, or any news paper, or any book, pamphlet, or paper, deemed, or conſtrued to be, or ſerving the purpoſe of an almanack or a news paper within the intention and meaning of this act, not being ſtamped or marked as by this act is directed, every ſuch perſon ſhall for every ſuch offence forfeit the ſum of forty ſhillings; to be recovered in a ſummary way before any juſtice of the peace, who is hereby authorized to hear and determine the ſame; and upon due proof and default of payment of the ſaid penalty to commit the offender to priſon for any time not exceeding one month without bail or mainprize, which ſaid penalty ſhall be to the ſole uſe and benefit of the perſon or perſons who ſhall without fraud or covin firſt ſue for the ſame.

XLI. And be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven, all and every perſon and perſons, who ſhall print or publiſh, or cauſe to be printed or publiſhed, any advertiſement or advertiſements in any pamphlet, news paper, or other literary performance, ſhall within the ſpace of forty days after the printing or publication of ſuch advertiſement or advertiſements pay, or cauſe to be paid, the duty or duties thereon hereby charged to the reſpective perſons appointed to receive the ſame, or to their reſpective deputies or clerks, the duties for all ſuch advertiſements as ſhall be ſo printed or publiſhed within the city of Dublin,

Dublin, and to the next adjacent head officer for the time being, appointed for the collection of the ſaid ſtamp duties, the ſaid duties hereby charged for and upon all ſuch advertiſements as aforeſaid, which ſhall be printed or publiſhed in any place out of the limits of the ſaid city; and the commiſſioners and officers laſt mentioned, or ſuch of them to whom it ſhall appertain, are hereby required upon payment of the duties hereby charged on ſuch advertiſements, to give a receipt or receipts for the duty or duties hereby charged thereupon; and in default of ſuch payment within the time herein before for that purpoſe limited, the printer or publiſher of every ſuch advertiſement ſhall be liable to pay treble the duties before by this act chargeable thereupon, to be recovered with full coſts of ſuit.

XLII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever ſhall at any time or times hereafter counterfeit or forge any type, mark, or ſtamp, to reſemble any type, mark, or ſtamp, provided and uſed by virtue of the ſaid recited acts, or which ſhall be provided, made, or uſed in purſuance of this act, or ſhall counterfeit or reſemble the impreſſion of the ſame upon any vellum, parchment, or paper, or other matter directed to be ſtamped, thereby to defraud his Majeſty, his heirs and ſucceſſors, of any of the duties hereby granted, or ſhall utter, vend, or ſell any vellum, parchment, or paper, with ſuch counterfeit mark or impreſſion thereupon, knowing ſuch mark or impreſſion to be counterfeited, then every ſuch perſon ſo offending, and being thereof convicted in due form of law, ſhall be judged a felon, and ſhall ſuffer death as in caſes of felony without the benefit of clergy.

XLIII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty, and to and for the lord lieutenant, or other chief governor or governors of this kingdom for the time being, out of the duties ariſing by this act to cauſe ſuch ſum and ſums of money to be expended and paid from time to time for ſalaries and other incident charges, as ſhall be neceſſary in and for the receiving, collecting, levying, or managing of the ſame duties; any thing in this act contained to the contrary notwithſtanding.

XLIV. And be it further enacted by the authority aforeſaid, That all and every the officer and officers, who ſhall be concerned in the levying, collecting, and receiving the duties ariſing by this act, ſhall keep ſeparate and diſtinct accounts thereof; and that the ſeveral perſons employed to collect and levy the ſaid duties in the city or county of Dublin, ſhall pay the ſame in ſpecie into his Majeſty's treaſury on the firſt Monday in every month, unleſs it be a holyday, and then the next day after which ſhall not be a holyday; and the ſeveral perſons employed to levy and collect the ſaid duties in other parts of this kingdom, ſhall pay the ſame in like manner to the ſeveral collectors of the inland exciſe of the reſpective diſtricts, in which the ſame ſhall be received and collected in; which ſaid collectors are hereby authorized and required to receive, and give receipts for the ſame, without fee or reward, and to keep diſtinct accounts thereof; and every ſtamp officer ſhall in ſix days after his making any payment into his Majeſty's treaſury, or to any of the ſaid collectors, give notice of the amount of ſuch payments to the commiſſioners of ſtamps; and if the ſaid officers, or any of them, ſhall neglect or refuſe to pay the ſame at the time or in manner aforeſaid, or ſhall detain all or any part of the monies by them collected and received, then for ſuch offence he or they ſhall be diſmiſſed from his or their employment, and be rendered incapable to ſerve his Majeſty, his heirs and ſucceſſors, and be charged with intereſt for the monies ſo detained in their hands, after the rate of twelve pounds *per centum per annum*.

XLV. Provided nevertheleſs, That it ſhall and may be lawful for the receiver general of the ſaid duties to retain in his hands ſuch ſum, not exceeding one month's produce of the ſaid duties, as he ſhall ſo receive, to anſwer the neceſſary demands of the ſaid office.

A. D. 1777-8. Chap. 3.

XLVI. And be it further enacted by the authority aforeſaid, That there ſhall be provided and kept in his Majeſty's treaſury one book, in which all monies, that ſhall be paid into the treaſury by virtue of this act, ſhall be entered and regiſtered apart and diſtinct from all other monies paid or payable to his Majeſty upon any account whatſoever.

XLVII. And be it further enacted by the authority aforeſaid, That none of the duties granted by this act ſhall be received or collected by, or paid to the ſaid commiſſioners of ſtamps; and that the ſeveral perſons, who ſhall be reſpectively employed in receiving, collecting, or paying the ſeveral duties by this act granted, ſhall and are hereby required once in every year during the continuance of this act to exhibit their reſpective accounts thereof to the commiſſioners for taking impreſt accounts for the time being, who ſhall and are hereby from time to time reſpectively authorized and required to examine upon oath the ſaid perſons accountants, who ſhall be employed in raiſing, receiving, or collecting the ſaid duties, what ſum or ſums of money was or were by them or any of them reſpectively raiſed, collected, or received within the time of ſuch their accounts, and likewiſe what part thereof was by them or any of them paid into the receipt of his Majeſty's treaſury, or to the collectors of the inland exciſe as aforeſaid, and in making the ſaid accounts to and before the ſaid commiſſioners they are to produce proper vouchers for any ſum or ſums of money, ſo by them raiſed, received, and paid, and the ſaid commiſſioners of impreſſed accounts are hereby authorized and required finally to adjuſt and ſettle the ſaid accounts, and to give diſcharges to the ſaid ſeveral accountants.

XLVIII. And be it further enacted by the authority aforeſaid, That when the accounts of the money received for the ſeveral duties ſhall have been ſo audited, the ſame ſhall be ſigned by ſaid commiſſioners of accounts, and ſhall be at all times to the ſaid officers therein concerned a full and ſufficient warrant and diſcharge to all intents and purpoſes.

XLIX. And be it further enacted by the authority aforeſaid, That all penalties incurred by this act, unleſs otherwiſe directed by this act, may be recovered by any perſon, who ſhall ſue for the ſame, by action of debt, bill, plaint, or information in any of his Majeſty's courts of record at Dublin, in which no eſſoign, protection, privilege, or wager of law, or more than one imparlance ſhall be allowed.

L. And be it further enacted by the authority aforeſaid, That neither the ſix pence *per* pound, nor any other fee, ſhall be payable to or deducted or received by the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, for their own uſe, or for or on account of the iſſuing or payment of any ſum or ſums of money ariſing by, or which ſhall be received for, or on account of the aids hereby granted to his Majeſty, or of any payment to be made in purſuance of this act, but that the ſame ſhall be received and duly accounted for to his Majeſty, his heirs and ſucceſſors.

A. D. 1777-8.

CHAP. IV.

An Act for granting to his Majeſty an additional Duty upon the ſeveral Goods and Merchandizes therein mentioned.

Expired 25 Dec. 1779.

WE your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in Parliament aſſembled, as a further ſupply to your Majeſty to ſupport the expences of your Majeſty's government, do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven until the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine incluſive, there ſhall be raiſed, levied, collected, and paid, the ſeveral rates and additional duties herein after mentioned, that is to ſay, an additional duty of one ſhilling *per* hundred weight upon all flour, meal, bread, and biſcuit, except of the produce and manufacture of Great Britain, imported into this kingdom; an additional duty of two ſhillings *per* barrel upon all wheat, except of the produce of Great Britain, imported into this kingdom, unleſs the middle price of wheat at the port, where the ſame ſhall be imported, ſhall exceed the price of twenty three ſhillings Engliſh *per* barrel at the time of ſuch importation; the ſaid price to be aſcertained as directed by an act of Parliament made and paſſed in the twenty ninth year of his late Majeſty King George the ſecond, entitled, *An act for the further encouragement of tillage.*

II. And be it further enacted by the authority aforeſaid, That all and every the ſeveral and reſpective additional duties, rates, and impoſitions hereby granted, ſhall be raiſed, anſwered, collected, and paid unto his Majeſty, his heirs and ſucceſſors, during the time aforeſaid, at the ſame time, in the like manner, and by ſuch ways, means, and methods, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed for the raiſing, collecting, and paying the duties therein mentioned, in and by an act made in this kingdom in the fourteenth and fifteenth years of the reign of his late Majeſty King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relating to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes as if the ſame were particularly mentioned, expreſſed, and enacted again in the body of this preſent act, with like remedy of appeal to and for the party grieved as in and by the ſaid act, or any other law or laws now in being relating to the duties of exciſe, is provided.

III. And be it further enacted by the authority aforeſaid, That neither the ſix pence *per* pound, nor any other fee, ſhall be payable to nor be deducted or received by the vice treaſurer or vice treaſurers, receiver, or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of the iſſuing or payment of any ſum or ſums of money ariſing by, or which ſhall be received for or on account of, the aids hereby granted to his Majeſty, or any payment to be made in purſuance of this act.

A. D. 1777-8.

CHAP. V.

An Act for allowing further Time to Persons in Offices or Employments to qualify themselves pursuant to an Act, entitled, *An Act to prevent the further Growth of Popery.*

Expired 1st. May, 1778.

WHEREAS several persons, well affected to his Majesty's government, and the church of Ireland, as by law established, may have through ignorance neglected, or been prevented by sickness, or other unavoidable causes, from taking and subscribing the oaths, and making, repeating, and subscribing the declaration, and from receiving the sacrament of the Lord's Supper, and delivering a certificate thereof, according to the directions of an act made in this kingdom in the second year of the reign of her late Majesty Queen Anne, entitled, *An act to prevent the further growth of popery*, and may thereby have incurred great penalties: be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present Parliament assembled, and by the authority of the same, That all and every person or persons, who have incurred any penalties and incapacities in the said act, entitled, *An act to prevent the further growth of popery*, mentioned, by neglecting to qualify themselves according to the said act, shall be and are hereby indemnified, freed, and discharged of and from all incapacities, disabilities, forfeitures, and penalties, incurred by reason of such omission or neglect as aforesaid; and that no act or acts done by them, or any of them, and not yet avoided, shall be questioned or avoided by reason of such neglect or omission; but all such acts shall be, and are hereby declared and enacted to be, as good and effectual, as if all and every such person and persons had taken and subscribed the said oaths, and received the said sacrament, and delivered a certificate thereof, and made, repeated, and subscribed the said declaration, at such time, place, and manner as is therein mentioned; any thing in the said act to the contrary notwithstanding.

II. Provided always, That such person or persons do and shall take and subscribe the said oaths, and receive the said sacrament, and make, repeat, and subscribe the said declaration, in such manner and form, and in such place and places, as are directed and appointed by the said act *to prevent the further growth of popery*, on or before the first day of May, which shall be in the year of our Lord one thousand seven hundred and seventy eight.

III. And whereas several of his Majesty's subjects are often preferred in the army, while they are residing in Great Britain, whereupon they are by the laws in force in that kingdom obliged to qualify themselves in some part of Great Britain by receiving the sacrament, taking the oaths, and subscribing the declaration thereby required, within the time mentioned in such laws: and whereas the regiment or regiments, in which such officer or officers have commissions so granted to them, are often ordered into this kingdom, and put upon this establishment, by which a doubt has arisen, whether such officer or officers, notwithstanding his or their having qualified themselves in Great Britain for such commission according to the said laws, are not by the laws in force in this kingdom obliged to qualify themselves after their arrival here for such commissions according to an act of Parliament, passed in this kingdom in the second year of the reign of her late Majesty queen Anne, entitled, *An act to prevent the further growth of popery*: be it enacted by the authority aforesaid, That no officer or officers so preferred in Great Britain, who shall have qualified him or themselves for such commission or commissions according to and within the time limited by the said laws made in Great Britain, shall be obliged to qualify him or themselves in this kingdom for such commission

or

A. D. 1777-8.

or commiſſions ſo granted to him or them in ſuch regiment or regiments after their arrival in this kingdom, and being put upon this eſtabliſhment; any law, uſage, or cuſtom, to the contrary notwithſtanding.

IV. Provided always, That this act, or any thing herein contained, ſhall not extend to reſtore or intitle any perſon or perſons to any office or employment already actually avoided by judgment of any in his Majeſty's courts of record, or already filled up by any other perſon; but that ſuch office or employment ſhall be and remain in the perſon or perſons, who is and who are now entitled by law to the ſame, as if this act had never been made.

CHAP. VI.

An Act for Licenſing Hawkers and Pedlars, and for the Encouragement of Engliſh Proteſtant Schools.

Expired 25 March, 1780.

WHEREAS the continuing the encouragement formerly given to Engliſh proteſtant ſchools will be of great benefit to this kingdom, and it is reaſonable, that ſome publick fund ſhould be applied and ſet apart for that purpoſe: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty fifth day of March, one thouſand ſeven hundred and ſeventy eight, until the twenty fifth day of March, one thouſand ſeven hundred and eighty, there ſhall be anſwered and paid unto his Majeſty, his heirs and ſucceſſors, by every hawker, pedlar, petty chapman, or other trading perſon or perſons going from town to town, or to other mens houſes, fairs, marts, or markets, and travelling either on foot or with horſe, horſes, or otherwiſe, in this kingdom (except as hereinafter mentioned) and carrying to ſell or expoſing to ſale, any goods, wares, or merchandizes (except as hereinafter mentioned) a duty of twenty ſhillings by the year; and that every perſon ſo travelling with any horſe or horſes, aſs or aſſes, mule or mules, or any other beaſt or beaſts bearing or drawing burthen, ſhall pay the ſum of twenty ſhillings by the year, from the twenty fifth day of March, one thouſand ſeven hundred and eighty, to the twenty fifth day of March, one thouſand ſeven hundred and eighty two, for each horſe, aſs, or mule, or other beaſt bearing or drawing burthen, he or ſhe ſhall ſo travel with, over and above the ſaid firſt mentioned duty of twenty ſhillings by the year; which ſaid rates and duties ſhall be collected by ſuch perſon and perſons, and in ſuch manner, and by ſuch ways and means, as the duty payable for licences to keep ale houſes is raiſed and collected by virtue of an act made in this kingdom in the thirty third year of the reign of his late Majeſty King George the ſecond, entitled, *An act for better regulating the collection of his Majeſty's revenue, and for preventing of frauds therein, and for repealing an act made in the laſt ſeſſions of Parliament*, entitled, *An act for continuing and amending ſeveral laws heretofore made relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act, and continued thereby*, as fully to all intents and purpoſes as if the proviſions in the ſaid act for that purpoſe were particularly mentioned and expreſſed, and enacted again in the body of this preſent act.

II. And be it enacted by the authority aforeſaid, That every pedlar, hawker, petty chapman, and other trading perſon or perſons, ſo travelling as aforeſaid, ſhall before the twenty fifth day of March, one thouſand ſeven hundred and ſeventy eight, and ſo likewiſe in every year, deliver or cauſe to be delivered to the collector of the exciſe of the diſtrict, where he or ſhe ſhall reſide or dwell, a note in writing under his or her hand, or under the hand of ſome perſon by her or him authorized in that behalf, how and in what manner he or ſhe intends to travel and

A. D. 1777-8. Chap. 6.

trade, whether on foot, or with one or more horſe or horſes, aſs or aſſes, mule or mules, or other beaſt or beaſts bearing or drawing burthen; and thereupon a licence or licences ſhall be granted by ſuch collector unto him or her for his or her ſo travelling and trading, for which he or ſhe ſhall thereupon pay or cauſe to be paid for each licence unto ſuch collector the yearly duty herein before directed to be payable for the ſame.

III. And be it enacted by the authority aforeſaid, That if any ſuch hawker, pedlar, or petty chapman, or other perſon, from and after the ſaid twenty fifth day of March one thouſand ſeven hundred and ſeventy eight be found trading as aforeſaid, without or contrary to, or not warranted by ſuch licence or licences, ſuch perſon ſhall for each and every ſuch offence forfeit the ſum of five pounds; one moiety thereof to the informer, and the other moiety to the incorporated ſociety in Dublin for promoting Engliſh proteſtant ſchools in Ireland; and that if any perſon ſo trading, upon demand made by any revenue officer or officers, or by any juſtice of the peace, mayor, conſtable, or other officer of the peace of any county, city, town corporate, or borough, where he or ſhe ſhall ſo trade, ſhall refuſe to produce and ſhew immediately unto ſuch perſon or perſons as aforeſaid, ſo demanding the ſame, his or her licence or licences for ſo trading, to be granted as aforeſaid, that then the perſon ſo refuſing ſhall forfeit twenty ſhillings, to be paid to the informer, and for nonpayment thereof ſhall ſuffer as a common vagrant, and be committed to the houſe of correction.

IV. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid collectors of the ſeveral diſtricts in this kingdom reſpectively, and they are hereby reſpectively directed, appointed, and required, upon the terms aforeſaid, and upon the receipt as aforeſaid, to grant one or more licence or licences under their reſpective hands to every hawker, pedlar, petty chapman, or any other trading perſon, for him or herſelf, with one or more horſe or horſes, aſs or aſſes, mule or mules, beaſt or beaſts, which he or they ſhall travel with, as the caſe ſhall require, according to the terms and directions of this act; and the ſaid collectors are hereby required to inſert in ſuch licences, as they ſhall ſo iſſue or grant, the ages, places of abode, and a particular deſcription of the perſons, to whom licences ſhall be granted purſuant to this act, and to number each licence, and keep particular entries of ſuch deſcriptions and licences; for each of which licences there ſhall be taken by ſuch collectors for their own uſe one ſhilling, and no more, except ſuch hawker, pedlar, or petty chapman, ſhall travel with horſe, aſs, or mule, or other beaſt bearing or drawing burthen, and in that caſe there ſhall be paid to ſuch collectors for their own uſe for each of ſuch licences for horſes, aſſes, mules, or beaſts of burthen, two ſhillings, and no more, over and above the duties aforeſaid; and that the ſaid collectors ſhall keep ſeparate and diſtinct accounts of the duties hereby granted, and pay the money ariſing thereby into his Majeſty's treaſury, as other money received by them for the uſe of his Majeſty.

V. And be it enacted by the authority aforeſaid, That the ſaid collectors ſhall be accountable to his Majeſty for the duties hereby granted, and ſhall be ſubject to the like penalties and forfeitures for not rendering a true account thereof, and paying the ſame in manner before mentioned, as they are and ſtand liable unto for not rendering a true account of any money received by them for the uſe of his Majeſty.

VI. And be it enacted by the authority aforeſaid, That the monies ariſing from the ſaid duties hereby granted, ſhall from time to time be brought into the receipt of his Majeſty's Exchequer, and ſhall from time to time without any fee or deduction whatſoever, be paid by the vice treaſurer or receiver general of this kingdom to the incorporated ſociety in Dublin for promoting Engliſh proteſtant ſchools in Ireland, or to their treaſurer for the time being, for the uſe of the ſaid incorporated ſociety.

VII. And be it enacted by the authority aforesaid, That if any person or persons whatsoever shall forge or counterfeit, or cause to be forged or counterfeited, any licence for the purposes aforesaid, or travel with such forged or counterfeited licence, knowing the same to be forged or counterfeited, such person shall forfeit the sum of fifty pounds, one moiety thereof to the King, and the other moiety to him who shall prosecute or sue for the same, to be recovered by action of debt, bill, plaint, or information in any of his Majesty's courts of record at the four courts in Dublin, in which no essoign, protection, or wager of law, or more than one imparlance shall be allowed, and that such person shall be subject to such other pains and penalties, as may be inflicted on persons for forgery.

VIII. And be it enacted by the authority aforesaid, That if any person or persons shall be sued, or molested, or troubled for putting in execution any of the powers contained in this act, or for doing any matter or thing pursuant thereto, such person and persons shall and may plead the general issue, and give the special matter in evidence; and if the plaintiff or plaintiffs shall be non-suited, or judgment be given against him or them upon demurrer or otherwise, or a verdict pass for the defendant or defendants, or a dismis upon a civil bill, such defendant or defendants shall have his, her, or their treble costs, to be recovered in such manner as by law costs given to defendants may be recovered in other cases.

IX. And be it enacted by the authority aforesaid, That if any constable shall refuse or neglect upon due notice, or upon his own view, to be aiding and assisting in the execution of this act, being thereunto required, every such constable, being thereof convicted by the oath of one or more credible witness or witnesses before any justice of the peace for the county or place where such offence shall be committed, shall forfeit for each and every such offence contrary to this act, the sum of forty shillings, to be levied by distress and sale of the offender's goods by warrant under the hand and seal of such justice of the peace; one moiety thereof to be paid to the said Incorporated Society, the other moiety to the informer who shall prosecute for the same, rendering the overplus thereof, if any there be, to the owner of the goods so distrained.

X. And be it enacted by the authority aforesaid, That it shall and may be lawful for any person or persons whatsoever to seize and detain any such hawker, pedlar, petty chapman, or other trading person or persons in this act mentioned, and also the goods they shall be found trading with, until such time as he, she, or they shall produce a licence in that behalf, if he, she, or they have any; and if he, she or they shall be found trading without licence contrary to this act, that then it shall and may be lawful to and for such person or persons so seizing as aforesaid, taking to his, her, or their assistance such person or persons as he or they shall think fit, to carry the person so seized, as also the said goods, before some one of his Majesty's justices of the peace for the county or place, or before the collector of his Majesty's revenue for the district where such offence or offences shall be committed; which said justices of the peace and the collectors respectively are hereby strictly required, either upon the confession of the party offending, or due proof of a witness upon oath, which they are hereby respectively empowered to administer, that the person so brought before him had so traded as aforesaid, unless such licence shall be produced by such offender before the said justice or collector, by warrant under his hand and seal to cause the sum of five pounds to be forthwith levied by distress and sale of the offender or offenders goods, wares, or merchandizes, rendering the overplus, if any be, to the owner or owners thereof, after deducting the reasonable charges for taking the said distress, and out of the said sale to pay the penalty and forfeiture aforesaid.

XI. Provided always, and be it enacted by the authority aforesaid, That this act, or any thing herein contained, shall not extend to prohibit any person from selling any act of Parliament, form of prayer, proclamation, gazette, almanack, or other printed paper, or any fish, fruit, or victuals, nor to hinder any person or persons

who are the real workers or makers of any goods or wares within this kingdom, or his or their wife or wives, apprentice or apprentices, from carrying abroad, expoſing to ſale, and ſelling any of the ſaid goods or wares of his, her, or their making in any publick fairs, markets, or elſewhere; nor any tinker, cooper, glazier, plumber, harneſs-mender, or other perſons, uſually trading in mending kettles, tubs, houſehold goods, or harneſs whatſoever, from going about ſuch buſineſs only, or from carrying with him or them proper materials for mending the ſame, and no other thing for ſale.

XII. Provided alſo, and be it enacted by the authority aforeſaid, That this act, or any thing herein contained, ſhall not extend to ſubject any perſon or perſons, who ſhall carry raw and unmanufactured wool, or frizes, or worſted or woollen ſtockings from one part of the kingdom to another, or expoſe the ſame to ſale in any fair, market, or other place in this kingdom, to any of the duties or penalties herein before mentioned; ſo as ſuch perſon or perſons ſhall not at the ſame time carry or expoſe to ſale any other wares, goods, or merchandizes, except the ſaid raw and unmanufactured wool, and the ſaid frizes, and worſted and woollen ſtockings.

XIII. Provided alſo, and be it enacted by the authority aforeſaid, That this act, or any thing herein contained, ſhall not extend to prohibit or reſtrain any perſon or perſons from ſelling or expoſing to ſale, in any place or places whatſoever any flax, tow, hemp, flaxen yarn, hempen yarn, ticken, plain, ſtriped, chequered, painted, or ſtained linens, buckrams, or canvas, ſo as ſuch perſon or perſons ſhall not at the ſame time carry or expoſe to ſale any other goods, wares, or merchandizes, except ſuch flax, tow, hemp, flaxen yarn, hempen yarn, tickens, plain, ſtriped, chequered, painted, or ſtained linens, buckrams, or canvas as aforeſaid.

XIV. Provided alſo, and be it enacted by the authority aforeſaid, That this act, or any thing herein contained, ſhall not extend to ſubject any perſon or perſons, who ſhall carry any pots or griddles made of caſt iron or metal from one part of the kingdom to another, or expoſe the ſame to ſale in any fair, market, or other place in this kingdom, to the payment of any greater duty than the ſum of twenty ſhillings by the year in the whole, although ſuch perſon or perſons ſhall or may trade or travel with one or more horſe or horſes, or other beaſt or beaſts drawing or bearing burthen; ſo as ſuch perſon or perſons ſhall not at the ſame time carry, or expoſe to ſale, any other goods, wares, or merchandizes, except the ſaid pots and griddles made of caſt iron or metal.

XV. Provided alſo, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the commiſſioners of his Majeſty's revenue, or any three or more of them for the time being, to order and direct to be paid out of the monies raiſed by this act to the ſaid collectors, their clerks, or any other perſon, ſuch ſums of money as they or any of them ſhall or may reaſonably deſerve for their ſervice, or ſhall or may have expended in the execution of or in relation to this act.

XVI. Provided alſo, and be it enacted by the authority aforeſaid, That this act, or any thing herein contained, ſhall not extend or be conſtrued to give any power for licenſing any hawker, pedlar, or petty chapman, to ſell or expoſe to ſale any wares, or merchandizes in any city, borough, town corporate, or market town within this realm, any otherwiſe than he or ſhe might have done before the making of this act; any thing herein contained to the contrary notwithſtanding.

XVII. And whereas it frequently happens that dealers, hawkers, and pedlars, in order fraudulently to evade the payment of his Majeſty's duty on licences do not openly travel from town to town, or to other men's houſes, but privately convey and carry their goods, wares, and merchandizes, and ſell or expoſe to ſale the ſame in ſhops, rooms, or warehouſes, or other places hired for that purpoſe in cities, towns, and places, where they are not uſually reſident; and divers other perſons privately carry and convey their goods, wares, and merchandizes to publick ſtreets and

places in cities, towns corporate, and other places in this kingdom, where they reſpectively reſide, but not adjoining or near to their dwelling houſes, or other apartments, and ſell and expoſe the ſame to ſale upon booths, ſtalls, or ſtandings, without licence: and whereas ſeveral people under the denomination of leather cutters or leather ſellers hawk about from town to town and expoſe to ſale in cities and towns corporate, and in fairs, marts, markets, and in other places, large and ſmall parcels of leather in booths, ſtalls, ſtandings, or otherwiſe; and alſo divers perſons under the denomination of cryers of old caſt cloaths do alſo hawk about the ſtreets of cities and towns corporate, and other places in this kingdom, old caſt cloaths, and alſo expoſe to ſale ſeveral of ſuch kinds of goods on ſtands, or ſtalls, or otherwiſe without licence: and whereas a doubt hath ariſen, whether ſuch perſons aforeſaid are to be deemed hawkers, pedlars, or petty chapmen, or trading perſons within the meaning and intention of former acts of Parliament made in this kingdom for licenſing hawkers and pedlars, and for the encouragement of Engliſh proteſtant ſchools, and ſubject to the penalties and forfeitures thereof: therefore be it enacted by the authority aforeſaid, That from and after the ſaid twenty fifth day of March one thouſand ſeven hundred and ſeventy eight, until the twenty fifth day of March one thouſand ſeven hundred and eighty, all and every the perſons aforeſaid ſhall pay ſuch duty as aforeſaid, and take out ſuch licences in manner as aforeſaid; and in caſe any perſon or perſons whatſoever ſhall be found trading or ſelling, or expoſing to ſale, any goods, wares, or merchandizes whatſoever (except as herein is excepted) in any ſhop or ſhops, room or rooms, warehouſe or warehouſes, or other place or places in any city, borough, town corporate, market town, village, or other places within this kingdom, wherein he, ſhe, or they have not been reſident one calendar month previous to the ſelling or expoſing to ſale any goods, wares, or merchandizes (except as before excepted) and ſell or expoſe to ſale ſuch goods, wares, or merchandizes therein, or in any of them, without licence as aforeſaid, ſuch perſons reſpectively, and alſo all ſuch perſon or perſons as ſhall be found trading or ſelling, or expoſing to ſale, any goods, wares, or merchandizes whatſoever (except as aforeſaid) upon booths, ſtalls, ſtandings, or otherwiſe, in any publick ſtreet or ſtreets, place or places, in any city, borough, town corporate, market town, village, or other place within this kingdom, ſuch booths or other places of ſale not being adjacent or adjoining his, her, or their dwelling houſe or houſes, ſhop or ſhops, warehouſe or warehouſes, or other apartments, and alſo all perſons under the denomination of leather cutters or leather ſellers, who ſhall hawk about from town to town, and ſell or expoſe to ſale in cities and towns corporate, or in fairs, marts, or markets, or other places, large or ſmall parcels of leather in or upon booths, ſtalls, ſtandings, or otherwiſe; and alſo all perſons under the denomination of cryers of old caſt cloaths, who ſhall hawk about the ſtreets, lanes, or alleys of cities and towns corporate, and other places in this kingdom, to purchaſe or ſell old caſt cloaths of any kind whatſoever, or ſhall ſell or expoſe to ſale any ſuch goods on ſtands, ſtalls, or otherwiſe, without licence as aforeſaid, all and every ſuch perſon or perſons ſhall be deemed and taken to be a hawker or hawkers, pedlar or pedlars, petty chapman or petty chapmen, within the meaning of this act to all intents and purpoſes, and ſhall be ſubject and liable to all and every the penalties and forfeitures by the ſame inflicted upon hawkers, pedlars, petty chapmen, and others trading without licence; any thing herein contained to the contrary notwithſtanding.

XVIII. And whereas it hath been found, that ſeveral hawkers, pedlars, and petty chapmen have reſpectively employed one or more other perſon or perſons, ſervant or ſervants, with him, her, or them, to carry about boxes, bundles, or parcels of goods, wares, and merchandizes on their backs, arms or otherwiſe, ſeparate and diſtinct from that or thoſe carried about by him, her, or themſelves, and have ſold and expoſed to ſale in booths, ſtands and ſtalls, or otherwiſe, as well the ſaid goods, wares, and merchandizes ſo carried by ſuch other perſon or

A. D. 1777-8.

persons, servant or servants, as those carried by him, her or themselves, under the sanction of one foot licence taken out by such person or persons so being or appearing to be the principal owner or proprietor thereof, without separate or distinct licence or licences for such other person or persons, servant or servants; and it hath been also found, that by means and under the sanction of one licence many persons principal and separate dealers, who have no connection with such person or persons, having one licence only as aforesaid, also fraudulently pass under the denomination of his, her, or their servant or servants, and trade without licence, to the great injury of the fair trader and dealer with licence, and the great diminution of the said tax on hawkers and pedlars: and whereas it is reasonable, that a horse licence shall be paid for, and taken for, every horse, mule, ass, or beast of burthen that shall be made use of or driven by every hawker, pedlar, and petty chapman: therefore be it enacted by the authority aforesaid, That from and after the said twenty-fifth day of March, one thousand seven hundred and seventy eight, until the twenty-fifth day of March, one thousand seven hundred and eighty, every hawker, pedlar, and petty chapman, for every person that shall be employed, or carry, whether servant or other person in his or her company, or otherwise, any boxes or bundles, or parcels of goods, wares, or merchandizes on their backs, arms, or otherwise, separate or distinct, for the purpose of selling and trading with the same, shall take out and pay for as aforesaid a separate and distinct foot licence for every such person; and also that every hawker, pedlar and petty chapman, for every horse, ass, mule, or beast of burthen that he or she shall make use of or drive, whether in his or her own company or otherwise, shall take out and pay for a separate and distinct horse licence; and such separate and distinct person, whether servant or other person employed or carrying such boxes, bundles, or parcels as aforesaid, and such hawker, pedlar, or petty chapman, that shall not take out a horse licence for every horse or beast of burthen, he or she shall make use of or drive as aforesaid, shall be subject and liable to all and every the penalties and forfeitures by this act inflicted upon hawkers, pedlars, petty chapmen, and others trading without licence; it being the true intent and meaning of this act, that for one foot licence no more goods, wares, or merchandizes shall by virtue of this act be hawked about for sale as aforesaid, than one person can well and reasonably bear or carry or travel with, and for one horse licence no more goods, wares, or merchandizes, shall by virtue of this act be carried about as aforesaid, than one horse, ass, mule, or other beast of burthen, can well or reasonably bear, or carry or travel with; any thing herein contained to the contrary notwithstanding.

CHAP. VII.

An Act to continue an Act, entitled, *An Act to amend an Act passed in the Third Year of His present Majesty*, entitled, *An Act for continuing the Encouragement given by former Acts of Parliament to the Flaxen and Hempen Manufactures.*

Expired 1st. May, 1780. 3 G. 3. c. 12. s. 3.

WHEREAS by an act passed in the third year of his present Majesty, entitled, *An act for continuing the encouragement given by former acts of Parliament to the flaxen and hempen manufactures*, it was enacted, That whoever should import or cause to be imported into this kingdom any good and sound hemp seed or flax seed from any port in Russia, Sweden, Denmark, Poland, Prussia, Germany, or any port on the Baltic Sea, or within the Sound, or from Hamburgh, or Altena, or any of the English plantations in America, within the space

of

A. D. 1777-8.

of twenty one years from the end of the then ſeſſion of Parliament, and from thence to the end of the then next ſucceeding ſeſſion of Parliament, ſhould receive for every hogſhead of ſuch hemp-ſeed or flax-ſeed as a premium the ſum of five ſhillings ſterling, to be paid by ſuch officer or officers, and in ſuch manner as drawbacks are uſually paid: and whereas by an act made and paſſed in the laſt ſeſſion of Parliament of this kingdom, entitled, *An act to amend an act paſſed in the third year of his preſent Majeſty*, entitled, *An act for continuing the encouragement given by former acts of Parliament to the flaxen and hempen manufactures*, it was among other things enacted, that a bounty of five ſhillings ſhould be paid for every hogſhead of all good and ſound hemp-ſeed or flax-ſeed of the growth of the United Provinces, or of the Auſtrian Netherlands, and imported from thence into this kingdom, to the perſon or perſons who ſhould ſo import or cauſe the ſame to be ſo imported into this kingdom; and that ſuch bounty ſhould continue to be paid from the firſt day of January next, until the firſt day of May in the year one thouſand ſeven hundred and ſeventy eight, ſubject however to the ſeveral clauſes, regulations, and reſtrictions contained in the ſaid act concerning the bounties therein given and provided: and whereas it is at this time found neceſſary and expedient further to continue the ſaid bounty for a limited time: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, that a bounty of five ſhillings ſhall be paid for every hogſhead of good and ſound hemp-ſeed or flax-ſeed of the growth of the United Provinces or of the Auſtrian Netherlands, and imported from thence into this kingdom, to the perſon or perſons who ſhall ſo import or cauſe the ſame to be ſo imported into this kingdom; and that ſuch bounty ſhall continue to be paid from the firſt day of May next until the firſt day of May in the year one thouſand ſeven hundred and eighty; ſubject however to the ſeveral clauſes, regulations, and reſtrictions contained in the ſaid act concerning the bounties therein given and provided.

15 & 16 G. 3. c. 7.

CHAP. VIII.

An Act for the Improvement of His Majeſty's Revenue, and the more effectually preventing of Frauds therein; and for continuing and amending ſeveral Laws heretofore made and now in Force relative thereto.

Revenue laws ineffectual,

WHEREAS the ſeveral laws heretofore made for the improvement of your Majeſty's revenue, and the prevention of frauds therein, have on account of many clandeſtine and fraudulent practices to elude the ſame proved ineffectual to anſwer the ſeveral purpoſes thereby intended: and whereas great frauds are and have been practiſed by common brewers in this kingdom by mixing ſmall beer and ale or ſtrong beer together, and by making uſe of bad and improper materials or ingredients in brewing, whereby the brewery of this kingdom hath been for many years conſiderably diminiſhed, and the health of your Majeſty's ſubjects endangered: for remedy whereof be it enacted by the King's moſt excellent Majeſty by and with the advice and

frauds by brewers,

no ſtrong beer or ale brewer ſhall ſell or brew ſmall,

A. D. 1777-8. Chap. 8.

and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty ninth day of September one thouſand ſeven hundred and ſeventy eight no common or retailing brewer of ſtrong beer or ale ſhall brew or ſell any ſmall beer; and that no common or retailing brewer of ſmall beer ſhall brew or ſell any ſtrong beer or ale; and that every common or retailing brewer ſhall declare and ſignify in writing to the collector of the diſtrict, and alſo to the gauger of the walk in which he carries on his trade of brewing, whether he intends from that time to the end of three calendar months next enſuing the date of ſuch declaration to be a brewer of ale and ſtrong beer, or to be a brewer of ſmall beer; which declaration ſhall be forthwith entered by ſuch collector and gauger in their books reſpectively; and if after ſuch declaration any common or retailing brewer, ſo declaring him or herſelf to be a brewer of ſtrong beer or ale, ſhall brew any ſmall beer, or beer or ale of a lower price than eighteen ſhillings and four pence by the barrel, containing thirty two gallons, ſuch price to be clear of all deductions, and without any abatement or allowance made by barrel to the ſcore, or otherwiſe, or if any common or retailing brewer, ſo declaring him or herſelf to be a brewer of ſmall beer, ſhall brew any ale or ſtrong beer, that is to ſay, any ale or beer of an higher price than ſix ſhillings the barrel, containing thirty two gallons, he, ſhe, or they ſo reſpectively offending ſhall forfeit and pay for every ſuch offence the ſum of fifty pounds: and if any common or retailing brewer ſhall after the ſaid twenty ninth day of September one thouſand ſeven hundred and ſeventy eight make any brewing, before he, ſhe, or they ſhall have made ſuch declaration as aforeſaid, he, ſhe, or they ſo offending, ſhall reſpectively forfeit the ſum of fifty pounds for every ſuch offence.

nor *e con*:

to declare in writing to collector or ganger which intended for 3 months,

entered forthwith,

brewing contrary to or before declaration, 50l.

ſtrong 18s. & 4d. per barrel, 32 gallons, without any allowance,

ſmall 6s. per barrel.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the gauger or other officer of exciſe to charge ſuch common brewer, who ſhall declare himſelf or herſelf to be a brewer of ſtrong beer or ale, for all worts or guile, that ſhall be found in the poſſeſſion of ſuch common brewer, with the duty chargeable upon ſtrong beer or ale.

Declared brewer of ſtrong, charged with ſuch duty for worts or guile found,

III. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the chief commiſſioners of his Majeſty's revenue of exciſe, or any three or more

3 commiſſioners by order in gazette,

more of them, from time to time by order signed by them, and published in the Dublin Gazette, to authorize and impower for such time, as to them shall seem expedient, all and every the brewer and brewers in any particlar part or parts of this kingdom, except the cities of Dublin and Cork, to brew as well small beer as ale or strong beer: any thing in this act contained to the contrary thereof in any wise notwithstanding.

may impower (except in Dublin or Cork) to brew both.

IV. And for the more effectual preventing common brewers from making or selling strong beer or ale of a lower price than eighteen shillings and four pence for every barrel containing thirty two gallons as aforesaid, be it enacted by the authority aforesaid, That from and after the twenty ninth day of September one thousand seven hundred and seventy eight, if any common brewer of strong beer or ale shall sell, or if any retailer of strong beer or ale shall buy, any strong beer or ale for a lower price than eighteen shillings and four pence by the barrel, containing thirty two gallons, such price to be clear of all deductions, and without any abatement or allowance made by barrel to the score, or otherwise, such common brewer and retailer shall respectively forfeit the sum of twenty pounds for every barrel of strong beer or ale, which shall be so bought and sold.

No strong beer sold or bought under 18s. & 4d. per barrel 32 gallons without allowance,

penalty, 20l. per barrel.

V. Provided always, and be it further enacted by the authority aforesaid, That if either the buyer or seller of such strong beer or ale for lower price than eighteen shillings and four pence by the barrel as aforesaid shall inform against the other party, concerned in so buying or selling such strong beer or ale, the party so informing shall be admitted to give evidence against the party so informed against, and shall in case of a conviction upon such information be discharged from the penalties so by him or her incurred.

Evidence of buyer or seller informing admitted, and discharged penalties.

VI. And be it further enacted by the authority aforesaid, That if any brewer of strong beer or ale shall from and after the twenty ninth day of September one thousand seven hundred and seventy eight, sell upon trust or credit at any time or times any beer or ale at a lower price than eighteen shillings and four pence by the barrel of thirty two gallons, such price to be clear of all deductions, and without any abatement or allowance made by barrel to the score or otherwise, such brewer or brewers shall not be entitled or have any remedy to recover any sum or sums on account of such beer or ale so sold as aforesaid; and all promissory notes, bonds, or other writings, given as a security for the payment of such debts so contracted, are hereby declared void and of none effect.

If sold on trust at under price, money not recovered,

securities given void.

VII. And

A. D. 1777-8. Chap. 8.

Strong retailed at 2½d. per quart, ſmall at 1d.

VII. And be it further enacted by the authority aforeſaid, That from and after the twenty ninth day of September one thouſand ſeven hundred and ſeventy eight no perſon ſhall ſell or cauſe to be ſold by retail any ſtrong beer or ale at a lower price than at the rate of two pence halfpenny by the quart, nor any ſmall beer at an higher price than at the rate of one penny by the quart, upon pain of forfeiting, for every time he or ſhe ſhall ſo offend, the ſum of five pounds; to be recovered upon due proof upon oath thereof made of the offence before any juſtice of the peace of the county or city, where ſuch offender ſhall reſide; and ſuch juſtice is hereby authorized and required upon conviction of ſuch offender to grant a warrant to diſtrain for the ſame, one half to be paid to the poor of the pariſh where ſuch fine ſhall be levied, and the other half to the informer.

penalty 5l. before a juſtice where reſident, by diſtreſs,

to the poor and informer.

No ingredient in beer or ale, ſave water, malt, hops, and barm,

VIII. And be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, no common or retailing brewer, or other retailer of beer or ale, ſhall make uſe of any madder, moloſſes, ſugar, honey, or compoſition or extract of ſugar, or make uſe of any broom, wormwood, gentian root, or any drug or herb, or of any ingredient whatſoever in the brewing, making, or working of any beer or ale, other than water, malt, hops, and barm; and that all beer or ale brewed or mixed with any ingredients other than water, malt, hops, and barm, ſhall be forfeited; and that every ſuch common or retailing brewer, or other retailer of beer or ale offending therein ſhall forfeit for every ſuch offence the ſum of ten pounds.

or forfeited and 10l.

Except for purl, jill, broom or wormwood beer, or porter.

IX. Provided that no penalty or forfeiture herein mentioned ſhall extend or be conſtrued to extend to the infuſing of broom, wormwood, ground-ivy, or other ingredient, into beer or ale by the retailer, after the ſame is brewed and tunned, for the purpoſe of making purl or jill, or broom or wormwood beer; or to the uſing any ingredient or ingredients neceſſary for the making of porter in making or brewing the ſame.

11 & 12 G. 3. c. 7. ſ. 10.

X. And whereas by an act of Parliament paſſed in the eleventh and twelfth years of the reign of his preſent Majeſty King George the third, entitled, *An act for the further improvement of his Majeſty's revenue, and the more effectual preventing of frauds therein, and for continuing and amending ſeveral laws heretofore made and now in force relative to his Majeſty's ſaid revenue*, it is amongſt other things enacted, That from and after the fourteenth day of Auguſt one thouſand ſeven hundred and ſeventy two every common brewer or other perſon, brewing or making any beer or ale

for ſale, ſhall, when and as as often as he, ſhe, or they ſhall deliver or cauſe to be delivered any beer or ale to any retailer, or other perſon or perſons ſelling beer or ale, ſend and deliver therewith to ſuch retailer, or other perſon ſelling beer or ale as aforeſaid, a certificate ſigned by ſuch common brewer, or other perſon brewing or making any beer or ale for ſale, his or their clerk or head ſervant, ſpecifying the real quantity thereof, and whether ſuch beer and ale were above ſix ſhillings the barrel price, or of ſix ſhillings or under when brewed, and to whom, and when particularly delivered, which certificate, ſo ſigned as aforeſaid, ſhall be accepted and taken by the perſon or perſons, to whom ſuch beer or ale ſhall be ſent or delivered as aforeſaid, and by him or them ſhall be given to the gauger of the walk, in which ſuch retailer or other perſon or perſons ſo ſelling beer or ale as aforeſaid ſhall reſide, on the next viſit ſuch gauger ſhall make: and whereas certain common brewers and other perſons, brewing or making beer or ale for ſale, in order to evade the intention of the ſaid act do on the delivery of their beer and ale deliver to the retailer, or other perſon ſelling the ſame, a diſtinct and ſeparate certificate for every caſk ſo delivered, whereby ſuch retailer, or other perſon ſelling, brewing, or making the ſaid beer and ale, is enabled to deliver to the gauger of the walk certificates for ſo many caſks only of the beer or ale ſo delivered to him, as ſhall remain unſold in his poſſeſſion, at the time ſuch gauger ſhall viſit ſuch retailer, or other perſon ſelling ſuch beer and ale; which practice renders it difficult to take an account of the quantity delivered by the common brewer, or other perſon brewing or making beer or ale for ſale, to ſuch retailers or other perſon ſelling beer or ale, and tends to defeat the intention of the ſaid act: for remedy whereof be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight every common brewer or other perſon brewing or making beer or ale for ſale ſhall, when and ſo often as he, ſhe, or they ſhall deliver, or cauſe to be delivered, any beer or ale to any retailer or other perſon ſelling beer or ale, ſend and deliver therewith to ſuch retailer, or other perſon ſelling beer or ale as aforeſaid, one certificate only, ſigned by ſuch common brewer or other perſon brewing or making beer or ale for ſale, his, her, or their clerk or head ſervant; in which certificate ſhall be ſpecified the whole quantity of beer or ale ſo delivered, diſtinguiſhing therein whether ſuch beer or ale was above ſix ſhillings the barrel price, or of ſix ſhillings or under, at what time brewed, and when and to whom ſent.

to evade ſaid act ſeparate certificates for every caſk delivered to retailer, who may deliver to gauger certificates for ſo many only as remain unſold;

one certificate only ſhall be delivered of the whole, the price, time, and to whom.

Second certificate for succeeding parcel delivered same day to retailer,

with the quantity, price, time, and to whom,

the former given back, if not delivered to gauger, the last in one day only brought in account against such brewer's stock.

Certificate accepted, and delivered to gauger next visit,

save given up on further certificate,

gauger to enter particulars in stock book,

XI. And be it further enacted by the authority aforesaid, that if from and after the twenty fourth day of June one thousand seven hundred and seventy eight any such common brewer, or other person brewing or making any beer or ale for sale, shall deliver to such retailer or other person selling beer or ale more than one quantity or parcel of beer or ale in one and the same day, every such common brewer or other person brewing or making beer or ale for sale shall upon the delivery of each succeeding quantity or parcel deliver therewith to such retailer, or other person selling beer or ale, one other certificate signed by such common brewer or other person brewing or making any beer or ale for sale, his, her, or their clerk, or head servant, in which shall be expressed the quantity then delivered, and also the quantity theretofore delivered in the same day, to such retailer or other person selling beer or ale, specifying the quantities and parcels in which the same was delivered, and whether such beer or ale so delivered in the same day was above six shillings per barrel price, or of six shillings or under, at what time brewed, and when and to whom sent; and on delivery of every second or other certificate every such common brewer, or other person brewing or making any beer or ale for sale, shall receive from such retailer, or other person selling beer or ale, the former certificate or certificates delivered to him on the same day, in case the same shall not have been delivered to the gauger of the walk, pursuant to the directions herein after contained; and the last certificate delivered in any one day, and no other, shall be brought in account against the stock of such brewer or other person selling beer or ale as aforesaid.

XII. And be it further enacted by the authority aforesaid, that from and after the said twenty fourth day of June one thousand seven hundred and seventy eight every certificate, so signed as aforesaid, shall be accepted and taken by the person or persons, to whom such beer or ale shall be sent or delivered as aforesaid, and shall be by him or them delivered to the gauger of the walk in which such retailer or other person or persons so selling beer or ale as aforesaid shall reside, on the next visit such gauger shall make; save only such certificate as shall have been previously given up to such common brewer, or other person brewing or making beer or ale for sale, on his or her delivery of a further certificate, as herein before directed; and such gauger is hereby required to enter in his book, called the stock book, the quantity, quality, and time of delivery of such beer or ale expressed in such certificate, together with the names of such brewer and retailer as aforesaid, and to sign his name on the back of every

every such certificate, and file the same in the excise office of the district, to which he belongs; and in case any common brewer or other person brewing or making any beer or ale for sale as aforesaid shall not deliver, or cause to be delivered, to such retailer or other person or persons selling beer or ale as aforesaid, on the delivery of any beer or ale as aforesaid, such certificate or certificates as herein before mentioned and directed; such common brewer or other person brewing or making beer or ale for sale as aforesaid, shall forfeit for every such offence the sum of forty shillings; and in case any gauger or other officer of excise shall find in the possession of any retailer, or other person selling beer or ale any beer or ale, for which such retailer or other person so selling the same shall not on demand produce such certificate or certificates as aforesaid, every such retailer or other person selling beer or ale shall in every such case be chargeable with the duty payable to his Majesty on beer and ale for the quantity of beer or ale so found, and for which such certificate or certificates so demanded shall not be produced, and shall also forfeit the sum of forty shillings for every barrel thereof found in his or her possession, for which such certificate or certificates so demanded shall not be produced as aforesaid, unless such certificate or certificates shall have been previously given up pursuant to the directions of this act.

indorse and file certificate in the office brewers not delivering certificates to retailer, 40s.

retailer charged with duty for beer found, for which no certificate, and 40s. per barrel, unless given up as aforesaid.

XIII. And be it further enacted by the authority aforesaid, that from and after the said twenty fourth day of June one thousand seven hundred and seventy eight every common brewer, or other person brewing or making beer or ale for sale, shall, when and as often as he, she, or they shall sell any beer or ale to be carried into the district of any excise office, other than where the same was brewed, send a permit, together with such certificate as aforesaid, signed by the gauger of the walk in which such beer or ale was brewed, and if any common brewer, or other person brewing or making beer or ale for sale shall neglect so to do, he, she, or they shall forfeit for every barrel of beer or ale, so found in any other district without such permit, the sum of forty shillings; and the person, in whose possession the same shall be found without such permit, shall pay the excise thereof, and shall forfeit forty shillings for every barrel of beer or ale so found.

Permit sent with certificate, when into another district, or 40s. per barrel on brewer,

and possessor without permit to pay the excise and 40s. per barrel.

XIV. And be it further enacted by the authority aforesaid, that from and after the said twenty fourth day of June one thousand seven hundred and seventy eight in all cases, where it shall appear by the certificate or certificates signed by any common or retailing

Duty charged for quantity delivered above decrease appearing in brewer's

A. D. 1777-8. Chap. 8.

retailing brewer or other perſon brewing or making beer or ale for ſale, his or her clerk or head ſervant, that he, ſhe, or they ſhall have delivered out more beer or ale, than a decreaſe ſhall appear for in the ſtock of ſuch brewer, he, ſhe, or they ſhall by the gauger or gaugers, or other officer of exciſe, be charged with and pay all the duties, to which ſuch quantity ſo delivered out more than the decreaſe ſhall appear for in the ſtock of ſuch brewer is by law liable, as if ſuch encreaſed quantity had been originally gauged; and over and above the ſaid duties ſhall forfeit the ſum of forty ſhillings for every barrel of beer or ale, which ſhall be found to be ſo delivered out, and for which there ſhall not be ſuch a decreaſe in his, her, or their ſtock as aforeſaid.

ſtock, and 40s. *per* barrel.

Forging certificate to cover ſtock, or aſſiſting therein, or uttering as true, fined not above 50l. or impriſoned not above 6 months.

XV. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall at any time from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy eight falſely make, forge, or counterfeit, or cauſe or procure to be falſely made, forged, or counterfeited, or willingly act or aſſiſt in the falſe making, forging, or counterfeiting any ſuch certificate for the delivery of beer or ale as aforeſaid, with intention fraudulently to cover their ſtock of beer or ale, or ſhall utter and publiſh as true any falſely made or counterfeited certificate for the purpoſe aforeſaid with intention to defraud as aforeſaid, knowing the ſame to be falſely made, forged, or counterfeited, ſuch perſon or perſons, being thereof lawfully convicted according to the due courſe of law, ſhall be fined or impriſoned at the diſcretion of the judge, before whom ſuch perſon ſhall be tried, provided that ſuch fine ſhall not exceed the ſum of fifty pounds, and that ſuch impriſonment ſhall not exceed the term of ſix months.

New wort or guile after gauging deemed increaſe, and charged,

XVI. And whereas common and retailing brewers frequently, when they have a brewing of wort or guile depending, run ſuch wort or guile in the night between the evening and morning viſit of the gauger or other officer, and replace the ſame with the wort or guile of a diſtinct brewing privately made, and impoſe ſuch wort or guile ſo privately made on the gauger or officer as and for the wort or guile of the brewing, which had been gauged and taken an account of the evening before: for remedy whereof be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, whenever any new wort or guile ſhall be found or diſcovered in the poſſeſſion of any brewer, of which ſuch brewer, or his or her ſervant, ſhall not have made a previous declaration, ſuch new wort or guile, after the ſame ſhall be gauged, ſhall be deemed as an increaſe made to the

former brewing of wort or guile ſo gauged by the gauger or officer at his laſt viſit, and ſhall be charged accordingly; and every common or retailing brewer ſo offending ſhall, for every barrel ſo encreaſed over and above the quantity contained in the ſaid former brewing, forfeit the ſum of five pounds; and the ſervant or ſervants of ſuch brewer who was or were any way knowingly concerned or aſſiſting in making ſuch new brewing or increaſe of wort or guile, ſhall forfeit for every barrel, ſo newly brewed or increaſed, the ſum of twenty ſhillings, and for default of payment thereof ſhall ſuffer three months impriſonment.

penalty on brewer 5l. *per* barrel, ſervants 20s. *per* barrel, or 3 month's impriſonment.

XVII. And whereas common and retailing brewers for the purpoſe of bringing into their ſtock beer and ale clandeſtinely brewed do frequently on the turning out beer and ale replace the ſame with empty caſks or caſks of water or taplaſh, and by mixing ſuch caſks with their ſtock, and by placing on the upper part of ſuch caſks froth or barm do impoſe upon the officers of the revenue, and ſhew and declare the ſame to them as beer or ale and part of their ſtock, thereby obtaining credit for more beer or ale in ſtock than they are intitled to: for remedy whereof be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy eight every common or retailing brewer of beer or ale, or his or her ſervant, who ſhall ſhew his or her ſtock to the officer, ſhall count all the caſks of beer, ale, guile, or worts, and declare the number of each denomination to the officer ſo taking an account of the ſame; and in caſe ſuch common or retailing brewer, his or her ſervant, ſhall refuſe ſo to do, he, ſhe, or they ſhall forfeit for every ſuch offence the ſum of twenty pounds; and if after the ſaid declaraion as aforeſaid there ſhall be found any empty caſk, or any caſk containing any other liquor or thing, ſave only what they were declared to contain, or any caſks more than one of each denomination, but in part full, or a greater number of caſks in the whole than have been declared, ſuch common or retailing brewer ſhall forfeit for every caſk, ſo found contrary to ſuch declaration, the ſum of forty ſhillings; and when ſuch declaration ſhall be made, the account of the ſtock of beer, ale, guile, or worts of any brewer ſo declared, ſhall be deemed and taken to be the ſtock of ſuch brewer at the time of taking the ſame.

On ſhewing ſtock all caſks counted, and number of each denomination declared,

refuſing 20l.

40s. every caſk found contrary to declaration,

account declared deemed the ſtock at the time.

XVIII. And whereas common and retailing brewers and diſtillers and makers of *aquavitæ*, ſpirits, and ſtrong waters frequently run conſiderably in arrear for the duties of exciſe, due and payable

Brewing or diſtilling veſſels ſeiſed for three weeks arrear of exciſe,

A. D. 1777-8. Chap. 8.

payable by them to the crown, and before any ſentence or judgment can be obtained againſt ſuch brewers or diſtillers, they ſecrete or carry away their brewing and diſtilling utenſils, by means whereof great loſs is ſuſtained, and injury done to his Majeſty's revenue: for remedy whereof be it further enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight if any brewer or diſtiller, or maker of *aquavitæ*, ſpirits, or ſtrong waters ſhall ſuffer an arrear of exciſe to remain due to the crown for the ſpace of three weeks, it ſhall and may be lawful to and for the collector of exciſe of the diſtrict, where ſuch brewer or diſtiller lives or reſides, to empower any perſon or perſons by writing under his hand and ſeal to ſeize, detain, and ſecure all and every the brewing veſſels and utenſils for brewing, and all and every the ſtills, worms, ſtill heads, and all other veſſels and utenſils for diſtilling uſed in every brewhouſe or diſtilling houſe of or belonging to ſuch brewer or diſtiller ſo running in arrear; and if ſuch brewer or diſtiller ſhall neglect to pay ſaid arrear of exciſe for the ſpace of ten days after trial and condemnation for ſuch arrear incurred, then it ſhall and may be lawful to and for ſuch collector, or ſuch perſon or perſons as he ſhall authorize and impower in the manner herein before directed, to ſell all ſuch veſſels and utenſils by public cant; and if after payment of the ſaid arrear of exciſe, and the coſts and expences attending the recovery thereof, there ſhall be any ſurplus or overplus of the produce ariſing from the ſale of the ſaid veſſels and utenſils, ſuch ſurplus or overplus ſhall be forthwith tendered and paid to the brewer or diſtiller, whoſe veſſels and utenſils ſhall be ſeized and ſold as aforeſaid.

ſold on nonpayment 10 days after condemned,

ſurplus to owner.

Information for ſuch arrear filed in 14 days after,

XIX. Provided always, that where any ſuch diſtreſs ſhall be taken as aforeſaid, the collector ſo cauſing the ſame to be taken ſhall within fourteen days after the taking thereof cauſe an information to be filed for ſuch an arrear of exciſe, ſo alledged to be due, and ſhall cauſe the ſame to be proceeded on in ſuch manner, as that ſentence may be pronounced thereon within thirty one days after the taking of ſuch diſtreſs; and if ſuch information ſhall not be filed or ſentence pronounced within the reſpective times aforeſaid, then and in either of theſe caſes, and not otherwiſe, it ſhall and may be lawful to and for the perſons, whoſe goods ſhall be ſo diſtrained, to retake the ſame by virtue of any replevin or replevins in ſuch manner, as replevin may be made of any goods diſtrained for rent by any common perſon.

ſentence in 31,

or replevin, as for rent.

I XX. And

XX. And whereas conſiderable injury hath ariſen to the fair diſtiller as well as to his Majeſty's revenue from the frauds and failure of inſufficient and diſhoneſt perſons entering into the diſtilling buſineſs: for remedy whereof be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight no perſon or perſons ſhall be entitled to obtain from the commiſſioners of exciſe any licence or licences for liberty to carry on the diſtilling buſineſs, until ſuch perſon or perſons ſhall enter into a bond to his Majeſty with two or more ſufficient ſureties, to be approved of by the commiſſioners of exciſe, or any three of them, or by the collectors of exciſe in their reſpective diſtricts, in the penal ſum of twenty pounds ſterling for every hundred gallons which the ſtill or ſtills of ſuch perſon or perſons, ſo applying for ſuch licence or licences, ſhall contain, conditioned for the due payment of all ſuch duties as ſuch perſon or perſons ſhall or may be liable to, during the time ſuch perſon or perſons ſhall continue to carry on the buſineſs of a diſtiller under ſuch licence on account of ſuch diſtillery.

Diſtillers not licenced till bond with ſureties for duties, in penalty 20l. every 100 gallons in ſtills.

HARVARD LAW SCHOOL LIBRARY.

XXI. And whereas it is of detriment to the brewing trade and his Majeſty's revenue, that diſtillers ſhould be permitted to brew ſmall beer or ale for ſale: be it enacted by the authority aforeſaid, that from and after the twenty ninth day of September one thouſand ſeven hundred and ſeventy eight no diſtiller ſhall be permitted to brew ſmall beer or ale for ſale; and that it ſhall and may be lawful for the gauger or gaugers or the officer of exciſe, appointed to gauge, take account of, or charge with duty, the ſtock of diſtillers, to gauge, take account of, and charge all malt liquors of any ſtrength or denomination in the poſſeſſion of any diſtiller as pot-ale or waſh for the purpoſe of diſtilling; and that the ſaid diſtiller ſhall be ſubject and liable to ſuch penalties, loſs, and forfeitures, as he is liable to by the laws heretofore made for ſhort declaration of or concealing waſh or pot-ale from the gauge, ſight, or view of the officer appointed to take account of the ſame.

Not to brew ſmall beer or ale for ſale,

charged for all malt liquors as pot ale or waſh for diſtilling, and the penalties for concealment.

XXII. And whereas by an act made and paſſed in the ſixth year of his preſent Majeſty's reign, entitled, *An act for continuing and amending ſeveral laws relating to his Majeſty's revenue, and for the more effectual preventing of frauds therein, and for other purpoſes therein mentioned*, it is amongſt other things enacted, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſixty ſix in all caſes, where by law permits or letpaſſes for carrying exciſeable goods from one part of this kingdom

6 G. 3. c. 16. ſ. 16.

A. D. 1777-8. Chap. 8.

dom to another are required, and ſuch permits or let paſſes ſhall be iſſued or taken out, the owner or other perſon or perſons, to whom ſuch exciſeable goods or commodities ſhall be ſo ſold, conſigned to, or ſent, ſhall immediately after the arrival of ſuch goods and commodities at the port or place, to which they ſhall have been ſent or directed, give notice in writing to the ſurveyor of exciſe, or in his abſence to the gauger or gaugers of ſuch port or place, of the arrival of ſuch goods or commodities, who are reſpectively required and directed without delay to repair to the place, where ſuch goods or commodities ſhall then be, and ſhall then and there carefully examine the ſaid goods and commodities with the contents of the ſaid permit, and further do and perform as in and by the ſaid act is required and directed: and whereas there is not by the ſaid act any preciſe time limited for giving notice to the officer of exciſe of the arrival of ſuch goods and commodities: and whereas the aforeſaid proviſions in the ſaid act contained have not been conſtrued to extend to home made ſpirits: therefore be it further enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, in caſes where by law permits or let paſſes for carrying home-made ſpirits and other exciſeable goods from one part of this kingdom to another are required, and ſuch permit or let paſs ſhall be iſſued or taken out, in ſuch caſe the owner or other perſon or perſons, to whom ſuch home made ſpirits or other exciſeable goods or commodities ſhall be ſold, conſigned, or ſent, ſhall within twenty four hours, or in caſe a Sunday, Chriſtmas Day, or Good Friday ſhall intervene, then in forty eight hours, after the arrival of ſuch goods and commodities at the place to which they ſhall have been ſent or directed, the city of Dublin, and all places within two miles of the caſtle of Dublin only excepted, or after the expiration of the time limited in ſuch permit or let paſs, repair to the collector, ſurveyor, or other officer of exciſe, at ſuch place with ſuch permit or let paſs, and lodge the ſame with him; and ſuch collector, ſurveyor, or other officer of exciſe ſhall thereupon carefully examine ſuch goods and commodities in ſuch manner, as is directed by the ſaid in part recited act; and upon performance of the requiſites in the ſaid act contained ſhall forthwith give to the perſon, ſo bringing ſuch permit or let paſs, a certificate ſigned by ſuch officer, that the ſaid permit or let paſs was lodged with him; which certicate ſhall contain in the body thereof a copy of the ſaid permit or let paſs, without eraſure or interlineation, and the day of granting

where permits taken out, no time by ſaid act limited for notice to officer of arrival of goods,

nor extended to home made ſpirits,

where permits taken for home-made ſpirits or exciſeable goods, lodged with the officer in 24, if Sunday, &c. 48 hours after arrival of goods or after time limited,

Dublin and 2 miles of the Caſtle excepted,

examined as by 6 G. 3, c. 16, ſ. 6.

certificate containing a fair copy given,

granting ſuch certificate, which certificate ſhall protect the ſaid goods and commodities as effectually, as the ſaid permit or letpaſs would have done, had not the ſame been lodged with ſuch officer as aforeſaid in the manner herein directed.

A. D. 1777-8. Chap. 8.

as effectual as permit.

XXIII. And be it further enacted by the authority aforeſaid, that when any ſuch home made ſpirits, goods, or commodities, ſhall be conveyed upon permit to the city of Dublin, or to any place within two miles of the caſtle of Dublin, the permit or permits, under which the ſame have been ſo conſigned, ſhall be lodged in the proper permit office in the city of Dublin within twenty four hours, or in caſe a Sunday, Chriſtmas Day, or Good Friday ſhall intervene, then in forty eight hours after the arrival of ſuch goods and commodities, or after the expiration of the time limited in ſuch permit; and thereupon a certificate ſhall be given from the ſaid office to the perſon ſo bringing the ſaid permit, importing that the ſaid permit was lodged in the ſaid office, which certificate ſhall contain in the body thereof a copy of the ſaid permit and the day of granting ſuch certificate; which certificate ſhall protect the ſaid goods and commodities as effectually, as the ſaid permit would have done, had not the ſame been lodged in the ſaid office; and permits may be renewed upon the ſaid certificate from time to time, in the ſame manner as they might have been renewed upon the ſaid permit, if this act had never been made.

In Dublin or 2 miles of the caſtle, lodged in permit office.

like certificate,

permits renewed thereon.

XXIV. And be it further enacted by the authority aforeſaid, that if any *aquavitæ*, ſtrong waters, or ſpirits made or diſtilled in this kingdom, or any other exciſeable goods or commodities whatſoever, ſhall from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight be found in the poſſeſſion of any perſon or perſons for the ſpace of twenty four hours or forty eight hours reſpectively as aforeſaid after the arrival of ſuch goods and commodities, and after the expiration of the time limited in the permit or letpaſs by which the ſaid *aquavitæ*, ſtrong waters, and ſpirits, or other exciſeable goods and commodities were carried and conveyed to the place, to which they ſhall have been ſent or directed, unleſs ſuch perſon or perſons ſhall have obtained and ſhall produce ſuch certificate, as is herein before directed in the ſeveral caſes aforeſaid, the ſame ſhall be forfeited; and it ſhall and may be lawful to and for any officer of his Majeſty's revenue to ſeize ſuch *aquavitæ*, ſtrong waters, or other exciſeable goods and commodities, together with the packages, caſks, and veſſels in which the ſame ſhall be contained.

If no certificate, the goods, package, &c. forfeited.

A. D. 1777-8. Chap. 8.

XXV. And whereas great frauds are frequently committed by the persons, who obtain permits or let passes for conveying *aquavitæ* or strong waters by inland carriage: and whereas the provisions, heretofore made to prevent the conveyance of spirits, fraudulently made and distilled, from one part of this kingdom to another, have proved ineffectual: be it enacted by the authority aforesaid, that from and after the twenty fourth day of June one thousand seven hundred and seventy eight every person applying for any permit for the conveying of any quantity of *aquavitæ*, spirits, or strong waters, in casks containing more than four gallons from any part or place in this kingdom to any other part or place thereof by inland carriage, shall give an account in writing to the officer, who is to grant such permit, of the number of casks in which such *aquavitæ*, spirits, or strong waters are to be contained, together with the quantity of *aquavitæ*, spirits, or strong waters to be contained in each cask; and such officer shall upon granting such permits give therewith a ticket for each cask contained in such permit, stamped with such stamp or mark as the chief commissioners of excise, or any three of them, shall direct and appoint; and the ticket, so to be given to each person so applying, shall be numbered in arithmetical progression, beginning with number one, and shall contain the number and date of the permit, the persons name to whom granted, the name of the person to whom and the place, to which the cask, corresponding with the number of the said ticket is consigned, the number of gallons of spirits contained in such casks, and the time said permit is to remain in force, with the initial letters of the officer's name, who shall grant the said permit, subscribed thereto; and that the person receiving such ticket or tickets before the removal of such *aquavitæ*, spirits, or strong waters, for which such permit was granted, shall affix or fasten one of the said tickets with paste or other glutinous substance on the head of each cask, which ticket shall correspond with the number and contents of the cask, to which it shall be so affixed as aforesaid, and said ticket shall be kept affixed thereunto, until such cask shall be delivered at the place, to which it shall be consigned, upon pain of forfeiting such cask and the spirits therein contained.

On permit for casks above 4 gallons of *aquavitæ*, spirits, or strong waters, account in writing of the number, and quantity in each, given to officer,

a stamped ticket for each cask,

tickets numbered, specifying the number, contents, &c.

fastened on each cask, till delivered, corresponding therewith,

or forfeited.

XXVI. And whereas spirits much above proof have been imported into this kingdom, having sugar, sugar candy, syrup, or other glutinous substances mixed therewith in order to prevent the officers of your Majesty's revenue from ascertaining the real strength of such spirits: for remedy whereof be it further enacted

Spirits imported mixed with sugar, &c. forfeited.

acted by the authority aforesaid, that from and after the twenty fourth day of June one thousand seven hundred and seventy eight if any spirits shall be imported into this kingdom, with which sugar, sugar candy, syrup, or other glutinous substance shall be mixed, such spirits so mixed as aforesaid shall be forfeited together with the casks or vessels, in which the same shall be contained; and it shall and may be lawful to and for any officer of your Majesty's revenue to seize the same.

Wine in casks under 31 gallons forfeited and the value.

XXVII. And whereas great quantities of different kinds of wines have been lately imported into this kingdom in small casks or vessels, with an intent that the same might be more easily and privately carried off and conveyed away without paying the duties payable thereon: for prevention whereof be it further enacted by the authority aforesaid, that from and after the twenty fourth day of June one thousand seven hundred and seventy eight no wines shall be imported or brought into this kingdom, or into any port, harbour, haven, or creek thereof in any cask or vessel, which shall not contain thirty one gallons at least, from any place whatsoever, upon pain of forfeiting the said wines and the value thereof, together with the cask or vessel in which said wines shall be contained.

Forfeited if found on board in port, or 3 leagues of shore, tho' bulk not broke, nor attempt to run,

unless in distress, of which immediate notice and proof.

XXVIII. And be it further enacted by the authority aforesaid, that from and after the said twenty fourth day of June one thousand seven hundred and seventy eight all wines in casks or vessels under the size of thirty one gallons shall be seized and forfeited, together with the cask or vessel in which such wines shall be contained, if found on board any ship, vessel, or boat in any port or harbour of this kingdom, or hovering within three leagues of the shore of this kingdom, or which shall be discovered so to have been, although bulk shall not appear to have been broke, or any of the said wines in casks under the size of thirty one gallons run or intended to have been run out of such ship, vessel, or boat, save where such ship or vessel shall not have been bound for any port in this kingdom, but shall have been obliged to put into such port or harbour, or shall have been forced to come within three leagues of the shore of this kingdom as aforesaid, by unavoidable necessity and distress, of which necessity and distress the master, purser, or person having or taking the charge or command of such ship or vessel, shall immediately after the arrival of such ship or vessel into any bay, harbour, river, or creek, of or belonging to this kingdom, give notice and make proof before the collector or other officer resident at the nearest port, where such ship or vessel shall arrive.

XXIX. Pro-

XXIX. Provided that this act or any thing therein contained ſhall not be conſtrued to extend to wines of the growth of Champaigne, or Burgundy, or to Italian wines, or to Muſchat wine, imported as uſual in ſmaller veſſels, or to Madeira wine, provided the ſame ſhall be imported in veſſels not under the ſize of twenty eight gallons.

Except wines as uſual in ſmaller veſſels, and *Madeira* in 28 gallons. 2 *G.* 3. c. 7. ſ. 19.

XXX. And whereas by an act made and paſſed in a parliament holden in this kingdom in the ſecond year of his Majeſty's reign, entitled, *An act for continuing and amending an act*, entitled, *An act for better regulating the collection of his Majeſty's revenue, and for preventing frauds therein, and for repealing an act made the laſt ſeſſion of parliament*, entitled, *an act for continuing and amending ſeveral laws heretofore made relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act and continued thereby*, among other things it is enacted, that from and after the firſt day of May one thouſand ſeven hundred and ſixty two it ſhall and may be lawful to and for the owner or owners of any goods and merchandizes ſeized for being run, or intended to be run, and to and for the maſter or commander of any ſhip or veſſel ſeized for the breach of any of the laws of exciſe, to apply, as by law may now be done in caſes to be heard and determined in the court of exchequer, for a writ of appraiſement to value and appraiſe ſuch goods and merchandizes, and ſuch ſhip or veſſel ſo ſeized; on which ſuch proceedings ſhall and may be had, as have been uſual in caſes, where by law writs of appraiſement have iſſued; and on return of the appraiſement or value of ſuch goods and commodities, and of ſuch ſhips and veſſels, the party or parties applying for ſuch writ of appraiſement together with two ſufficient ſureties ſhall enter into a recognizance to his Majeſty in double the value of ſuch appraiſement before the chancellor, or one of the barons of the court of exchequer, or before ſuch other perſon or perſons as they or any of them ſhall appoint by commiſſion, to be iſſued out of the ſaid court of exchequer, conditioned to pay ſuch appraiſed value, and all other penalties and forfeitures attending ſuch ſeizure, in caſe the ſame ſhall be condemned; and thereupon the ſaid chancellor, or any of the ſaid barons of the ſaid court of exchequer, ſhall award a writ of delivery in the uſual manner for ſuch goods and merchandizes, and the ſhip or veſſel ſo ſeized as aforeſaid: and whereas the recognizance, preſcribed by the ſaid in part recited act, doth not extend to ſecure the payment of the duties due and payable upon ſuch goods and merchandizes, in caſe the ſame

condition of recognizance on writ of appraiſement by 1 *G.* 3. c. 7. ſ. 19.

ſhall be acquitted: for remedy whereof be it enacted by the authority aforeſaid, That from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, the condition of the recognizance to be entered into to his Majeſty by the party or parties applying for ſuch writ or writs, ſhall extend to ſecure the payment of the duties due and payable to his Majeſty upon ſuch goods and merchandizes, in caſe the ſame ſhall upon trial of any information or informations be acquitted.

ſhall extend to ſecure duties on goods ſeized if acquitted.

XXXI. And be it enacted by the authority aforeſaid, That from and after the firſt day of September one thouſand ſeven hundred and ſeventy eight, during the continuance of this act, no duty whatſoever ſhall be paid for any fiſh, which ſhall be cured in this kingdom, upon exportation thereof.

No duty on export of fiſh cured here.

XXXII. And be it enacted by the authority aforeſaid, That from and after the twenty fourth day of June one thouſand ſeven hundred and ſeventy nine, during the continuance of this act, no drawback of any duties ſhall be allowed upon the exportation of fiſh imported into this kingdom.

No drawback on export of fiſh imported.

XXXIII. And whereas by an act paſſed in the thirty third year of the re his late Majeſty, it is enacted, That no collector do grant the licences in ſaid act ſpecified, unleſs a certificate be firſt produced and lodged with him, ſigned by the next reſiding juſtice of the peace, who ſhall not be an officer of his Majeſty's revenue, ſetting forth, that the perſon deſiring to be licenced is properly qualified, and alſo that the place of his abode is a fit and proper place for ſelling and retailing ale or beer, or wines, ſtrong waters, or other ſpirituous liquors reſpectively, according to the application made: and whereas the names of many of the juſtices of the peace for the county of the city of Dublin have been counterfeited to certicates in the form preſcribed by the ſaid act, and licences, as aforeſaid, obtained upon ſuch counterfeit certificates: for remedy whereof be it enacted by the authority aforeſaid, That with reſpect to the city of Dublin, the liberties thereof, and within three miles from the caſtle of Dublin, no collector, or his clerk, under the penalty of fifty pounds, to be recovered as in ſaid recited act, do grant any licence for the purpoſes in ſaid act mentioned, unleſs ſuch certificate, as the ſaid act requires, be depoſited with the ſaid collector or his clerk by the next reſiding juſtice of the peace in his own proper perſon previous to the granting of ſuch licence.

XXXIV. And whereas the vending of ſpirituous liquors in ſmall quantities is found to be prejudicial to the health and to the morals of the people: for remedy whereof be it enacted by the authority aforeſaid, That no retailer of ſpirituous liquors, unleſs the ſaid retailer be licenced to ſell ale or wine by retail as well as ſpirits within the county of the city of Dublin, and all places within the circular road, after the twenty fifth day of March one thouſand ſeven hundred and ſeventy nine do ſell to any perſon or perſons at any one time any quantity of ſpirituous

No retailer of ſpirits, unleſs licenſed to retail ale or wine alſo, in county of the city and circular road ſhall ſell leſs than 1 pint at one time,

A. D. 1777-8. Chap. 8.

liquor leſs than one pint, under the penalty of five pounds for every time he ſhall offend therein; the ſaid penalty to be recovered upon conviction in a ſummary way before any magiſtrate of the city of Dublin, or before any juſtice of the peace of the county of Dublin, or in caſe of non-payment, by diſtreſs and ſale of the goods of the offender; the one moiety of the ſaid penalty to be to the uſe of the informer, and the other moiety to the uſe of the houſe of induſtry.

penalty 5l.

to informer and houſe of induſtry.

No brewer to act as magiſtrate under this act,

XXXV. And be it enacted by the authority aforeſaid, That no brewer of ale or beer ſhall, during the continuance of this act, have power to act in or execute as a juſtice of peace or magiſtrate any of the powers, clauſes, or things contained in this preſent act, except the preſident of the court of conſcience for the city of Dublin; and that all ſuch things, ſo acted in or executed by any ſuch brewer, are and ſhall be utterly null and void.

ſave preſident of court of conſcience.

Brewer's oath previous to declaration,

XXXVI. And for the further prevention of the frauds herein before complained of, be it enacted by the authority aforeſaid, That every common or retailing brewer of ſtrong beer or ale ſhall at or before the declaration, herein before required to be made by him touching his intention to brew ſtrong beer or ale, upon demand of the revenue officer, to whom ſuch declaration is to be made, take an oath, or, if a quaker, make an affirmation, to the following effect; which oath or affirmation the ſaid revenue officer is hereby empowered and directed to adminiſter.

to act honeſtly,

to uſe 7 ſtone & quarter of malt, & 1 lb. & half hops per barrel at 32 gallons,

and not combine to lower.

I A. B. *do ſolemnly ſwear, or if a quaker, do affirm, that I will truly, faithfully, and honeſtly carry on the trade or buſineſs of a brewer of ſtrong beer or ale to the beſt of my ability, knowledge, and ſkill, and that I will not practiſe, or knowingly ſuffer to be practiſed by any perſon to be employed by me, any kind of impoſition or fraud in making, brewing, or ſelling the ſame; and that not leſs than ſeven ſtone and a quarter of malt, and one pound and an half of hops, ſhall be made uſe of in making and brewing each barrel of beer or ale, which ſhall be brewed and ſold by me or for my uſe, ſuch barrel to be computed at thirty two gallons, and that I will not enter into any combination with any perſon or perſons to lower the quality of ſtrong beer or ale during the continuance of this act:*

On refuſal diſqualified.

And in caſe of refuſal to take ſaid oath or affirmation, ſuch brewer ſo refuſing, ſhall be diſqualified from carrying on ſaid buſineſs, whilſt he ſo refuſes to take the ſame.

XXXVII. And

XXXVII. And be it further enacted by the authority aforeſaid, That an act made in the thirty third year of the reign of his late Majeſty King George the ſecond, entitled, *An act for better regulating the collection of his Majeſty's revenue, and for preventing of frauds therein, and for repealing an act made the laſt ſeſſions of Parliament*, entitled, *An act for continuing and amending ſeveral laws heretofore made relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act and continued thereby*, and alſo one other act made in the firſt and ſecond years of his Majeſty's reign, entitled, *An act for continuing and amending an act*, entitled, *An act for better regulating the collection of his Majeſty's revenue, and for preventing of frauds therein; and for repealing an act made the laſt ſeſſion of Parliament*, entitled, *An act for continuing and amending ſeveral laws heretofore made, relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act, and continued thereby*; and alſo one other act made in the third and fourth years of his Majeſty's reign, entitled, *An act for continuing and amending two ſeveral acts of Parliament therein mentioned, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and for other purpoſes therein mentioned*, and alſo one other act made in the fifth and ſixth years of his Majeſty's reign, entitled, *An act for continuing and amending ſeveral laws relating to his Majeſty's revenue, and for the more effectual preventing of frauds therein, and for other purpoſes therein mentioned*; and alſo one other act made in the ſeventh and eighth years of his Majeſty's reign, entitled, *An act for the further improvement of his Majeſty's revenue, and for continuing and amending ſeveral acts therein particularly mentioned*; and alſo one other act made in the eleventh and twelfth years of his Majeſty's reign, entitled, *An act for the further improvement of his Majeſty's revenue, and the more effectual preventing of frauds therein, and for continuing and amending ſeveral laws heretofore made and now in force relative to his Majeſty's ſaid revenue*; and alſo one other act made in the thirteenth and fourteenth years of his Majeſty's reign, entitled, *An act for continuing and amending ſeveral laws now in force relating to his Majeſty's revenue, and for the more effectual preventing frauds therein*; and alſo one other act made in the fifteenth and ſixteenth years of his Majeſty's reign, entitled, *An act for the improvement of his Majeſty's revenue, and the more effectually preventing of frauds therein,*

13 G. 2. c. 10.

1 G. 3. c. 7.

3 G. 3. c. 21.

5 G. 3. c. 15.

7 G. 3. c. 27.

11 & 12 G. 3. c. 7.

13 & 14 G. 3. c. 8.

15 & 16 G. 3. c. 15.

A. D. 1777-8. Chap. 3.

and for continuing and amending ſeveral laws heretofore made, and now in force, relative to his Majeſty's ſaid revenue; and all and every the clauſes therein reſpectively contained (except ſuch parts thereof as are altered, repealed, or amended by this preſent act or by any of the ſaid recited acts,) ſhall continue and be in force for the ſpace of two years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, and from thence to the end of the then next ſeſſion of Parliament, and no longer.

continued, ſave as altered, 2 years, &c. from 24 June 1778, *and 2 years by* 19 & 20 G. 3. c. 12. ſ. 91.

XXXVIII. And be it further enacted by the authority aforeſaid, That all and every the fines, penalties, and forfeitures inflicted by this act, or by the ſaid ſeveral acts of Parliament herein before laſt particularly mentioned or recited, or by any of them (other than and except ſuch as by this act, or by any of the ſaid recited acts of Parliament herein before laſt mentioned, are otherwiſe provided for) ſhall and may be ſued for, recovered, levied, and applied, in ſuch manner and form, and by ſuch ways and means, and with ſuch powers and authorities, as are preſcribed, directed, and appointed, in and by an act of Parliament made in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, as fully and effectually to all intents, conſtructions, and purpoſes, as if the ſame were particularly mentioned and expreſſed, and re-enacted in the body of this preſent act, with the like remedy of appeal to and for the party or parties who ſhall think him, her, or themſelves aggrieved or injured, as in and by the ſaid act of exciſe is provided.

Penalties, ſave otherwiſe provided, levied and applied as by 14 & 15 C. 2.

with like appeal.

XXXIX. Provided always, and be it further enacted by the authority aforeſaid, That this act, and the ſeveral proviſions hereby made, ſhall continue and be in force for the ſpace of two years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, and from thence to the end of the then next ſeſſion of Parliament, and no longer.

Continuance 2 years from 24 June 1778, &c. *and annually, and to* 24 *June* 1787, *by* 26 G. 3. c. 46.

A. D. 1777-8.

CHAP. IX.

An act to authorize for a limited time the puniſhment by hard labour of offenders, who for certain crimes are or ſhall become liable to be tranſported to any of his Majeſty's colonies and plantations.

WHEREAS the tranſportation of convicts to his Majeſty's colonies and plantations in America, now in uſe within this kingdom by virtue of the ſeveral ſtatutes authorizing ſuch tranſportation, is found to be attended with various inconveniencies, particularly by depriving this kingdom of many ſubjects, whoſe labour might be uſeful to the community, and who by proper care and correction might be reclaimed from their evil courſes: and whereas until ſome other more effectual proviſions in the place of tranſportation to his Majeſty's colonies and plantations in America can be framed, ſuch convicts (being males) might be employed with benefit to the publick in the raiſing ſand, ſoil, and gravel from and cleanſing the river Anna Liffey in the harbour of Dublin, or any other ſervice for the benefit of the navigation of the ſaid river and harbour eaſtward of Eſſex bridge, or in any other ſervice herein after directed, or being females might be kept to labour of a leſs ſevere kind within this kingdom: be it therefore enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the paſſing of this act, when any male perſons ſhall at any ſeſſion of oyer and terminer or gaol delivery, or at any quarter or other general ſeſſions of the peace, for any county, city, town, or place within this kingdom, be lawfully convicted of grand or petit larceny, or any other crime, for which he ſhall be liable by law to a ſentence of tranſportation to any of his Majeſty's colonies or plantations in America, it ſhall and may be lawful for the court, before whom any ſuch perſon ſhall be ſo convicted, or any court held for the ſame place, with like authority, if ſuch court ſhall think fit, in the place of ſuch puniſhment by tranſportation to order and adjudge, that ſuch perſon ſhall be puniſhed by being kept to hard labour in the raiſing ſand, ſoil, and gravel from and cleanſing the river Anna Liffey in the harbour of Dublin, or any other ſervice for the benefit of the navigation of the ſaid river and harbour eaſtward of Eſſex bridge, under the management and direction of an overſeer or overſeers, to be appointed

Male convicts liable to tranſportation kept to hard labour in river in harbour of *Dublin* under overſeers appointed at ſeſſions,

for the ſame, or ſhorter term,

pointed by the juſtices of the peace for the county of the city of Dublin at their quarter or other general ſeſſions of the peace for the ſame term of years, as the tranſportation for the ſaid offence might by law have been adjudged, or for ſuch ſhorter term as ſuch court ſhall think fit to order and adjudge, provided that the ſame ſhall in no caſe be leſs than three years, or more than ten years.

not under 3 or above 10 years.

II. And be it further enacted by the authority aforeſaid, that where any male perſon ſhall at any ſeſſion of oyer and terminer, or gaol delivery, or at any quarter or other general ſeſſion of the peace for any county, city, town, or place within this kingdom be lawfully convicted of any robbery or other felony, for which he ſhall by law be liable to ſuffer death without benefit of clergy, and his Majeſty ſhall be graciouſly pleaſed to extend the royal mercy to any ſuch offender upon conviction of being kept to hard labour for the term of ten years, or any other ſhorter time to be ſpecified, in the cuſtody of ſuch overſeer or overſeers as aforeſaid, and ſuch intention of mercy ſhall be notified in writing by the ſecretary of the lord lieutenant, lord deputy, lords juſtices, or other chief governors of this kingdom for the time being, to the judge or juſtice of oyer and terminer, or gaol delivery, in any county, city, or place, before whom any ſuch offender ſhall be convicted or condemned, it ſhall and may be lawful for every ſuch judge or juſtice of oyer and terminer, or gaol delivery, to make an order for allowing forthwith to every ſuch offender the benefit of a conditional pardon in the ſame manner, as if there was a conditional pardon under the great ſeal, and may and ſhall adjudge, that every ſuch offender ſhall be kept to hard labour in the cuſtody of ſuch overſeer or overſeers as aforeſaid for the time ſpecified in the notification from ſuch ſecretary.

Convict of felony death, and the royal mercy notified, allowed a conditional pardon as if under great ſeal, and kept to like labour for term ſpecified.

III. And be it further enacted by the authority aforeſaid, that when any offender ſhall be ordered to be kept to hard labour in manner aforeſaid, or as hereinafter is directed, the clerk of the aſſize, clerk of the peace, or other clerk of the court, by which ſuch order ſhall be made, ſhall give to the ſheriff or gaoler having the cuſtody of ſuch offender a certificate in writing under his hand containing an account of the chriſtian name, ſurname, and age of ſuch offender, of his offence, of the court before whom he was convicted, and of the term for which he ſhall be ſo ordered to hard labour; and the ſheriff or gaoler having the cuſtody of ſuch offender ſhall with all convenient ſpeed after the making of any ſuch order, and receiving of ſuch certificate,

Certificate by the clerk of court to the ſheriff or gaoler,

who ſhall therewith deliver offender to ſuch overſeers,

convey ſuch offender or cauſe him to be conveyed to ſuch place within this kingdom, and alſo deliver ſuch offender, or cauſe him to be delivered, together with the ſaid certificate, to ſuch overſeer or overſeers as aforeſaid; and the overſeer or overſeers, to whom any ſuch offender ſhall be ſo delivered, ſhall give a proper receipt in writing under his or their hand or hands, which ſhall be a ſufficient diſcharge to the ſheriff or gaoler ſo delivering ſuch offender.

whoſe receipt a diſcharge.

IV. And be it further enacted by the authority aforeſaid, that all expences, incurred by any ſheriff or gaoler in the conveyance of any ſuch offender as aforeſaid, ſhall be paid by the county, city, town, or place, for which the court, ordering ſuch puniſhment by hard labour inſtead of tranſportation to America, ſhall be held; and the ſheriff or gaoler ſhall receive the money due for ſuch expences from the treaſurer for ſuch county, city, town, or place, by order of the juſtices of the peace at their quarterly or other general ſeſſion, who are hereby required to make ſuch order accordingly.

Expences of conveyance paid by county treaſurer on order at ſeſſions.

V. And be it further enacted by the authority aforeſaid, that after delivery of any ſuch offender as aforeſaid into the cuſtody, to which he ſhall be adjudged, the overſeer or overſeers, who ſhall have the cuſtody of ſuch offender, ſhall during the term, for which he ſhall be ordered to hard labour, have the ſame powers over ſuch offender, as are incident to the office of a ſheriff or gaoler; and in caſe of any abuſe of the cuſtody, or other miſbehaviour in diſcharge of his office, ſhall be liable to the ſame puniſhment as a gaoler; and alſo ſhall during ſuch term as aforeſaid keep ſuch offender to hard labour either in raiſing ſand, ſoil, and gravel from and cleanſing the river Anna Liffey in the harbour of Dublin, or in any other laborious ſervice for the benefit of the navigation of the ſaid river and harbour to the eaſtward of Eſſex bridge, but at ſuch places only, and ſubject to ſuch directions, limitations, and reſtrictions, as the ballaſt office committee of the city of Dublin for the time being ſhall from time to preſcribe.

Overſeers to have like power and liable for abuſe to ſame puniſhment as gaoler,

and keep to hard labour as by ballaſt office preſcribed.

VI. Provided nevertheleſs, that ſuch offenders, when ordered to hard labour in the river Anna Liffey, or in the harbour of the city of Dublin, ſhall in no caſe be employed in delivering tonnage of ballaſt to maſters and commanders of ſhips, but only in digging, raiſing, and taking up the gravel, ſand, and ſoil from the ſhelves and ſand banks of the ſaid river and harbour, and in diſcharging the ſame upon the ſhore above the highwater mark, or

Not employed in ballaſt for ſhips, but in raiſing off ſand banks, and diſcharging above high water mark, or for the navigation.

A. D. 1777-8. Chap. 9.

or in some other laborious service for the benefit of the navigation of the said river or harbour.

Allowed only bread and coarse inferior food, water, or small beer, and cloathed,

VII. And be it further enacted by the authority aforesaid, that every offender, who shall be ordered to hard labour in the custody of such overseer or overseers as aforesaid, shall during the time of such service be fed and sustained with bread and any wholesome coarse or inferior food, and water or small beer, and also sufficiently cloathed; and such offender shall not, during the term of such service, be permitted to have any other food, drink, or cloathing, than such as shall be so allotted to them; and if any person shall supply any such offender, at any time during the time of his said service, with any drink, food, or cloathing, other than such as shall be so directed or permitted, he or she so supplying shall for every such offence forfeit any sum not exceeding forty shillings.

supplying other, 40s.

Refusing labour, or misbehaving, whipped or punished as in house of correction.

VIII. And be it further enacted by the authority aforesaid, that if any offender, who shall be so delivered as aforesaid to be kept to hard labour, shall during the term of such service refuse to perform any labour authorized by this act, or who shall be guilty of any other misbehaviour or disorderly conduct, it shall and may be lawful for the overseer or overseers, having the custody of any such offender, to order such moderate whipping or other punishment to be inflicted on him, as may be inflicted by law on persons committed to a house of correction for hard labour.

Restored to liberty shall receive not under 40s. nor above 5l. and cloathing, as by the court appointed,

IX. And be it further enacted by the authority aforesaid, that every offender, who shall be delivered to be kept to hard labour in manner aforesaid, shall at the end of the term of such service, and upon being restored to his liberty, receive from the overseer or overseers, under whom he shall have so served, such sum of money, not being less than forty shillings, nor more than five pounds, together with such decent cloathing, as the court, into which such return shall be made as herein after mentioned, shall appoint; and if any such offender, whilst confined to hard labour in manner aforesaid, shall by his industry and other good behaviour shew such signs of reformation, as shall induce the said court to recommend him as an object of his Majesty's mercy, and it shall be thereupon signified by a letter from such secretary as aforesaid to the overseer or overseers as aforesaid, that his Majesty thinks fit in consideration of such good behaviour to shorten the duration of such offender's term, such offender shall be accordingly set at liberty at the time mentioned in such letter, and shall receive a sum of money from his overseer or overseers, and cloathing

if on good behaviour and secretary's letter, recommended, the term shortened,

and to receive as if serving the whole.

in

in the same manner, as if he had served the whole of the term, for which he was adjudged to serve.

Females, weak or aged males, confined to hard labour in place appointed, not under 3, or above 10 years.

X. And whereas in many cases it might be found inconvenient to send convicts, especially females and males who are weak and aged, to work as aforesaid in clearing in the said river Anna Liffey in the harbour of Dublin: be it therefore further enacted by the authority aforesaid, that where any person shall at any session of oyer and terminer, or gaol delivery, or at any quarter or other general session of the peace for any county, city, town or place within this kingdom, be lawfully convicted of grand or petit larceny, or any other crime for which he or she shall be liable by law to transportation to any of his Majesty's colonies in America, it shall be lawful for the court, in which any such offender shall be so convicted, or any court held for the same place, and with like authority, if such court shall think fit, in the place of such punishment by transportation to order and adjudge, that such person shall be sent to some proper place of confinement within the said county, city, town, or place, to be appointed for that purpose in manner herein after mentioned, there to be kept to hard labour for such term or number of years as such court shall appoint, not exceeding the term or number of years for which the transportation for the said offence might have been adjudged, provided that the same shall in no case be less than three years, or more than ten years.

Felons, on secretary's notification to the judge, allowed conditional pardon as if under great seal,

XI. And be it further enacted by the authority aforesaid, that where any person shall at any session of oyer and terminer, or gaol delivery, or at any quarter or other general session of the peace for any county, city, town, or place within this kingdom, be lawfully convicted of any robbery or other felony, for which he or she shall by law be liable to suffer death without benefit of clergy, and his Majesty shall be graciously pleased to extend the royal mercy to any such offender upon condition of being kept to hard labour at the place of confinement to be appointed for that purpose in manner herein after mentioned, and such intention of mercy shall be notified in writing by the secretary of the lord lieutenant, lord deputy, lords justices, or any other chief governors of this kingdom for the time being, to the judge or justice of oyer and terminer, or gaol delivery in any county, city, or place, before whom such offender shall be so convicted or condemned, it shall and may be lawful for every such judge or justice of oyer and terminer, or general gaol delivery, to make an order for allowing forthwith to every such offender the benefit of a conditional pardon in the same manner, as if there was a conditional

and ordered to hard labour for the time.

A. D. 1777-8. Chap. 9.

ditional pardon under the great ſeal, and may and ſhall adjudge that every ſuch offender ſhall be kept to hard labour for the time ſpecified in the notification from ſuch ſecretary of ſtate.

On clerk's certificate, delivered by ſheriff or gaoler to houſe of correction,

XII. And be it further enacted by the authority aforeſaid, that when any offender ſhall be ordered to be kept to hard labour in manner aforeſaid, the clerk of the aſſize, clerk of the peace, or other clerk of the court, by which ſuch order ſhall be made, ſhall give to the ſheriff or gaoler, having the cuſtody of ſuch offender, a certificate in writing under his hand containing an account of the chriſtian name, ſirname, and age of ſuch offender, of his or her offence, of the court before whom he or ſhe was convicted, and of the term for which he or ſhe ſhall be ordered to hard labour; and the ſheriff or gaoler ſhall with all convenient ſpeed after the making of any ſuch order, and receiving of ſuch certificate, convey ſuch offender, or cauſe him or her to be conveyed, to the proper houſe of correction, and deliver ſuch offender, or cauſe him or her to be delivered, together with the ſaid certificate into the cuſtody of the maſter or keeper of ſuch houſe of correction: and the perſon and perſons, to whom ſuch offender ſhall be ſo delivered, ſhall give a proper receipt in writing under his or their hand or hands, which ſhall be a ſufficient diſcharge to the ſheriff, gaoler, or other perſon ſo delivering any ſuch offender; and all expences, incurred by any ſheriff or gaoler in conveying ſuch offender to the houſe of correction in manner aforeſaid, ſhall be paid by the county, city, town, or place, for which the court ordering ſuch puniſhment by hard labour ſhall be held, in the ſame manner as is herein before directed in reſpect to offenders ordered to hard labour in the river Anna Liffey and the harbour of Dublin.

expences paid as for ſaid offenders on river Liffey.

Proper places for offenders prepared at ſeſſions,

XIII. And be it further enacted by the authority aforeſaid, that the juſtices of the peace for every county, city, town, and place, within this kingdom ſhall at the firſt quarter or other general ſeſſion of the peace, which ſhall be held next after the paſſing of this act, take into conſideration the ſtate of their reſpective houſes of correction, in order that proper places within the ſame or elſewhere within each reſpective county, city, town, and place, may be prepared for the reception of ſuch offenders, as ſhall be ordered to hard labour therein by force of this act, and for the purpoſes aforeſaid, and for keeping ſuch offenders to hard labour, and for their employment, regulation, and government, ſhall give ſuch directions, and make ſuch orders, as ſuch juſtices ſhall think moſt fit and proper, as they are authorized to give or make by the laws now in force in reſpect to the houſes

and orders made,

keeper for abuſe liable as gaoler.

of correction, or by any of them; and the keeper of the place of confinement, ſo appointed and prepared, ſhall in caſe of the abuſe of the cuſtody or other miſbehaviour in diſcharge of his office be liable to the ſame puniſhment as a gaoler.

Reſcuing, or aſſiſting in reſcue or eſcape, tho' no eſcape made,

XIV. And be it further enacted by the authority aforeſaid, that if any perſon ſhall reſcue any offender, who by force of this act ſhall be ordered to hard labour or to the houſe of correction as aforeſaid, either in his conveyance to the place appointed for ſuch hard labour or houſe of correction, or whilſt ſuch offender under this act ſhall be in the cuſtody of the perſon or perſons appointed for that purpoſe, or if any perſon ſhall be aiding or aſſiſting in ſuch reſcue, or if any perſon, not having the actual cuſtody of any ſuch offender, ſhall be aiding and aſſiſting in any eſcape, or ſhall by ſupplying arms or inſtruments of diſguiſe or eſcape, or otherwiſe in any manner be aiding and aſſiſting in the attempt to make any ſuch eſcape, though no ſuch eſcape ſhall be made, every ſuch perſon on being convicted of ſuch offence by indictment before any court of oyer and terminer, and general gaol delivery, held in and for the place where ſuch offence ſhall be committed, ſhall be by ſuch court adjudged and ordered to the ſame portion of hard labour or correction, as the perſon reſcued or eſcaped, or attempted to be aided in any eſcape, had to ſerve or ſuffer at the time of ſuch reſcue, eſcape, or attempt of an eſcape.

ordered to ſame portion of labour or correction.

First eſcape, term of ſervice doubled,

XV. And be it further enacted by the authority aforeſaid, that if any perſon, who ſhall be ordered to hard labour under this act either in the river Anna Liffey, or in the harbour and bay of Dublin as aforeſaid, or at any place of confinement appointed by virtue of this act, ſhall at any time, during the term for which he or ſhe ſhall be ſo ordered to hard labour, break priſon or eſcape from the place of his or her confinement, or from the perſon or perſons having the lawful cuſtody of ſuch offender, he or ſhe ſo breaking priſon or eſcaping ſhall on conviction for the firſt eſcape be puniſhed by doubling the term of the ſervice and hard labour, in which he or ſhe was at the time of ſuch eſcape, and on conviction for a ſecond eſcape be adjudged guilty of felony without benefit of clergy, and ſuffer death accordingly.

ſecond, felony death.

Tried where taken,

XVI. And to the intent that ſuch conviction or convictions may be had with as little trouble and expence as poſſible, be it further enacted by the authority aforeſaid, that every offender or offenders eſcaping in manner aforeſaid may and ſhall be tried before the juſtices of aſſize, oyer and terminer, or gaol delivery for the county, city, or place, where he, ſhe, or they, ſhall be apprehended

A. D. 1777-8. Chap. 9.

apprehended and taken; and that the clerk of the assize and clerk of the peace, where such orders of confinement or hard labour shall respectively be made, and their successors for the time being, shall at the request of the prosecutor, or any other in his Majesty's behalf, certify a transcript briefly and in few words, containing the effect of every indictment and conviction of such man or woman, and of the order made for his or her confinement, or being sent to hard labour respectively, to the justices of assize, oyer and terminer, and gaol delivery, where such man or woman shall be indicted for any such escape from his or her place of confinement, or of hard labour respectively, not taking for the same above the sum of two shillings and six pence; which certificate, being produced in court, shall be a sufficient proof, that such person or person have before been convicted and ordered to such place of confinement or hard labour respectively.

on indictment for escape, clerk's certificate, proof of former conviction.

XVII. Provided always, and be it further enacted by the authority aforesaid, that such clerk of the court, and the sheriff or gaoler, shall be paid by the treasurer of the county, city, town, or place, the like satisfaction, as hath been usually paid for the order of transportation of any offender.

Clerk, sheriff, or gaoler, paid as on transportation.

XVIII. Provided always, and be it further enacted by the authority aforesaid, that the offender or offenders, which shall be sent to and shall by virtue of this act be directed to be confined in such places to be appointed as aforesaid, shall be kept separate from, and shall not be permitted or suffered to intermix with, any person or persons confined for any offence under the degree of petit larceny, or other crime not making the person or persons having committed the same by the laws of this realm subject to a sentence of transportation.

Such offenders separated from those of inferior degree.

XIX. And be it further enacted by the authority aforesaid, that the overseers of the several places of confinement, to be appointed by virtue of this act, shall from time to time make returns, specifying the names of all and every the person or persons who shall be committed to their custody, the offences of which they shall have been guilty, the court before which each person was convicted, the sentence of the court, the age, bodily state and behaviour of every such convict while in custody, and also the names of all and every the person or persons who shall have died under such custody, or shall have escaped from such place of confinement, or shall have been released from thence by order from such secretary as aforesaid; such returns from the overseers of the convicts to be employed in laborious service for the benefit of the navigation of the said river, bay, and harbour,

Returns made by overseers,

the 1st of every term to B. R.

for other places of confinement, to assizes or sessions,

to

to be made the first day of every term to his Majesty's court of king's bench at Dublin, and from the overseers of the other places of confinement, to be appointed by virtue of this act, to the justices of assize at each assize, and to the justices of peace at each quarter or other general sessions of the peace for the county, city, or place, within which such place of confinement shall be situate; and that every such return shall be verified on the oath of the person making the same, such oath to be made before the court into which the return shall be delivered.

on oath before the court where returned.

XX. And be it further enacted by the authority aforesaid, that any pecuniary penalties, created by this act, for the recovery of which no mode is herein before prescribed, shall be recoverable before two or more justices of the peace in the county, city, town, or place, in which the offence shall be committed, or before two or more justices of the peace in the county where such offenders shall be resident, on proof of the offence by the oath or oaths of one or more credible witness or witnesses, or on confession of the offender; and the penalty so recovered shall belong to the informer or informers prosecuting for the same; and in case of non payment shall be levied by distress and sale of the offender's goods and chattles, by warrant under the hands and seals of such justices, and the overplus of the money raised, after deducting the penalty, and the expences of the distress and sale, shall be rendered to the owner; and for want of sufficient distress, the offender shall be sent by such justice to the prison of such county, city, town, or place, for such term, not exceeding six months, as such justices shall think most proper.

Penalties, not otherwise ordered, recovered before 2 justices where offence, or where resident, on oath or confession, to prosecutor, by distress and sale, or imprisonment not above 6 months.

XXI. And towards defraying the expences to be necessarily incurred by this act be it further enacted by the authority aforesaid, that the grand juries of the different counties, and counties of cities and towns in this kingdom, except the county of the city of Dublin, be authorized at the assizes to be held for their respective counties, and at the Easter and Michaelmas terms held in the king's bench in and for the the county of Dublin, severally to present (as in other instances they are by the laws now in force impowered) on their respective counties, the sum of five pounds for each convict sent from such county, for effectually punishing by hard labour as aforesaid such offenders as are described in this act, and for their support, maintenance, cloathing, and payment, and for finding proper materials, instruments, lighters, gabbards, and other conveniencies for them to work with, and in and for the due and proper payment of the several overseers herein before mentioned, and also for such further sum

Presentment 5l. each convict sent, for expence of conveying not above 6d. each mile.

A. D. 1777-8. Chap. 9.

for the payment of the neceſſary and reaſonable expences to be incurred by ſheriffs and gaolers in the conveyance of offenders to the ſaid overſeers as aforeſaid, not exceeding ſix pence for each mile ſuch offender ſhall be conveyed.

Sums expedient preſented by grand jury at ſeſſions for *Dublin*.

XXII. And be it further enacted by the authority aforeſaid, that the grand jury at the general quarter ſeſſions of the peace, to be held for the county of the city of Dublin, be authorized to preſent (as in other inſtances they are by the laws now in force impowered) on the county of the ſaid city of Dublin ſuch reaſonable ſums of money, as together with ſaid five pounds for every convict as aforeſaid they ſhall think expedient and neceſſary for effectually puniſhing by hard labour as aforeſaid ſuch convicts, as are deſcribed in this act, and for their ſupport, maintenance, cloathing, and payment, and for finding proper materials, inſtruments, lighters, gabbards, and other conveniencies for them to work with, and in and for the due and proper payment of the ſeveral overſeers hereinbefore mentioned, and in general for the carrying the purpoſes and intentions of this act into execution.

Reaſonable preſentment for houſes of correction.

XXIII. And be it further enacted by the authority aforeſaid, that the grand juries of the different counties and counties of cities and towns in this kingdom be authorized at the aſſizes and general gaol delivery, to be held for their reſpective counties, and at the general quarter ſeſſions of the peace to be held for the county of the city of Dublin, and at the Eaſter and Michaelmas term held in the king's bench in and for the county of Dublin, ſeverally to preſent (as in other inſtances they are by the laws now in force impowered) on their reſpective counties ſuch reaſonable ſums of money, as they ſhall think expedient and neceſſary, for providing, maintaining, and regulating the houſes of correction, already or which ſhall hereafter be eſtabliſhed in their reſpective counties, and to which ſuch convicts ſhall hereafter be committed to hard labour.

Defendants may plead general iſſue, &c.

XXIV. And be it further enacted by the authority aforeſaid, that if any ſuit or action ſhall be proſecuted againſt any perſon or perſons for any thing done in purſuance of this act, ſuch perſon or perſons may plead the general iſſue, and give this act or the ſpecial matter in evidence at any trial to be had thereupon, and that the ſame was done by the authority of this act; and if a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall become nonſuit, or diſcontinue his, her, or their actions after iſſue joined, or if on demurrer or otherwiſe judgment ſhall be given againſt the plaintiff or plaintiffs, the

and have treble coſts,

no coſts on verdict for plaintiff, unleſs on judge's certificate.

defendant or defendants ſhall recover treble coſts, and have the like remedy for the ſame, as any defendants have by law in other caſes; and though a verdict ſhall be given to any plaintiff in any ſuch action or ſuit as aforeſaid, ſuch plaintiff ſhall not have coſts againſt the defendant, unleſs the judge, before whom the trial ſhall be, ſhall certify his approbation of the verdict. A. D. 1777-8.

Action where fact committed,

XXV. And be it further enacted by the authority aforeſaid, that all actions, ſuits, and proſecutions, to be commenced againſt the perſon or perſons for any thing done in purſuance of this act, ſhall be laid and tried in the county or place, where the fact was committed, and ſhall be commenced within ſix months after the fact committed, and not otherwiſe.

and in 6 months.

Continued 2 years, &c. *and 2 years from 1ſt Auguſt* 1780, *&c. by* 19 & 20 *G.* 3. *c.* 14. *ſ.* 11.

XXVI. And be it further enacted by the authority aforeſaid, that this act ſhall continue to be in force for two years, and to the end of the then ſeſſion, or if the ſaid term of two years ſhall not determine during any ſeſſion of parliament, then to the end of the then next enſuing ſeſſion of parliament.

CHAP. X.

An act for making and keeping in repair a circular road round the city of Dublin.

WHEREAS an act of parliament paſſed in this kingdom in the third year of the reign of his preſent Majeſty, entitled, *An act for making more convenient the approaches to the city of Dublin by making a new turnpike road on the ſouth ſide, the weſt ſide, and the north ſide of ſaid city, to commence at the road leading from Dublin to Donnybrook, and to terminate at Cavendiſh ſtreet*; and alſo another act of parliament paſſed in the fifteenth and ſixteenth years of the reign of his preſent Majeſty, entitled, *An act made to explain and amend an act made in the third and fourth years of the reign of his preſent Majeſty*, entitled, *an act for making more convenient the approaches to the city of Dublin by making a new turnpike road on the ſouth ſide, and weſt ſide, and the north ſide of ſaid city, to commence at the road leading from Dublin to Donnybrook, and to terminate in Cavendiſh ſtreet*, have not proved effectual for anſwering the purpoſes intended by ſaid acts: to avoid therefore the confuſion that may ariſe from a multiplicity of acts of parliament relative to the ſame ſubject it is thought expedient to repeal the ſaid acts, and to make the proviſions herein after contained: therefore be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and tempora

3 *G.* 3. *c.* 36.

& 15 & 16 *G.* 3. *c.* 28.

A. D. 1777-8. Chap. 10.

and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the paſſing of this act an act paſſed in the third year of his preſent Majeſty's reign, entitled, *An act for making more convenient the approaches to the city of Dublin by making a new turnpike road on the ſouth ſide, the weſt ſide, and the north ſide of the ſaid city, to commence at the road leading from Dublin to Donnybrook, and to terminate at Cavendiſh ſtreet*, and alſo another act paſſed in the fifteenth and ſixteenth years of his preſent Majeſty's reign, entitled, *An act to explain and amend an act made in the third and fourth years of the reign of his preſent Majeſty*, entitled, *an act for making more convenient the approaches to the city of Dublin by making a new turnpike road on the ſouth ſide, the weſt ſide, and north ſide of the ſaid city, to commence at the road leading from Dublin to Donnybrook, and to terminate at Cavendiſh ſtreet*, and every clauſe in them and each of them contained, (except ſuch clauſes therein as relate to the purchaſing and making agreements for lands, tenements, houſes, and building grounds, and to the powers therein and thereby given to the ſeveral perſons, bodies politick, corporate, and collegiate, to enter into contracts and agreements with the truſtees named in and appointed purſuant to ſuch acts, and each of them, and to make ſales and conveyances of lands, tenements, houſes, buildings, grounds, and hereditaments, as in ſaid acts are ſet forth, and the powers given to truſtees to iſſue precepts to ſheriffs to ſummon juries for the purpoſes in ſaid acts mentioned, and every matter relative to the confirming the acts of ſuch juries, and the powers given to the ſaid truſtees to name and appoint treaſurers, ſuperintendants, and collectors, and which relate to the power of ſuch treaſurer, ſuperintendants, and collectors, in manner as in ſaid acts are mentioned, ſhall be repealed and made null and void.

ſaid acts repealed, ſave as to purchaſing and agreeing for lands, &c. and powers to contract with truſtees, and ſell and convey,

and precept to ſummon juries,

confirming acts of juries,

truſtees appointing officers, and their power.

II. And for the making and keeping in repair a circular road round the city of Dublin, and a road from ſaid circular road to the ſeſſions houſe of Kilmainham, ſixty feet wide in the clear at leaſt, be it further enacted by the authority aforeſaid, that from and after the paſſing of this act the members of both houſes of parliament for the time being, the lord mayor, recorder, and aldermen of the city of Dublin for the time being, the rectors and vicars of the ſeveral pariſhes in the city of Dublin, the juſtices of the peace for the county of Dublin and the city of Dublin, having an eſtate of freehold in lands, tenements, or hereditaments, of the clear yearly value of two hundred pounds at the leaſt within either of the ſaid counties, all for the time being,

Truſtees appointed for the circular road, and to *Kilmainham* ſeſſion houſe, 60 feet wide,

members of both houſes,

lord mayor, recorder, and aldermen,

rectors and vicars, in the city,

juſtices of 200l. a year freehold in county or city,

being, and the truſtees named in the ſaid act of the third year of the reign of his preſent Majeſty, or elected ſince paſſing the ſame, ſhall be and are hereby nominated, conſtituted, and appointed truſtees for making and keeping in repair the ſaid roads and foot paths, and alſo a road from ſaid circular road to the ſeſſion houſe of Kilmainham ſixty feet wide at the leaſt, and for putting in execution the ſeveral powers and authorities mentioned and contained in this act.

truſtees in 3 G. 3. c. 36. or elected ſince.

III. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, and ſuch other perſon and perſons as ſhall hereafter be appointed truſtees, in purſuance of this act, or any ſeven or more of them, ſhall have full power and authority, and they are hereby authorized and impowered, to make and keep in repair, during the term hereafter mentioned, a circular road round the city of Dublin ſixty feet wide in the clear at leaſt, beginning at the river Anna Liffey near the Marine nurſery, and from thence to the new bridge lately built on the ſouth of Kilmainham, and from thence acroſs the ſaid river Anna Liffey at or near Iſland-bridge, and to be continued on the outſide of his Majeſty's park the Phoenix to the northward of Pruſſia ſtreet, and the fields of Henry Meredyth eſquire near the road from Dublin to Finglaſs, and from thence to the northward of Eccles ſtreet, and from thence to the river Anna Liffey eaſtward of the delph manufactory lately kept by Thomas Aſhburne, and alſo the ſaid road to the ſeſſions houſe of Kilmainham.

Any 7 may make and keep in repair,

the road delineated.

IV. Provided, that no part of the circular road, which has been already made purſuant to the ſaid former acts or either of them, and for which annual rents by way of compenſation have been already aſcertained or paid, either by agreement of the parties or by verdict of a jury, purſuant to the ſaid former acts or either of them, ſhall be altered or changed, but ſhall remain and be part of the ſaid road.

No part made as by ſaid acts, and for which a compenſation by agreement or verdict, altered.

V. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, ſhall have full and ample power and authority, and that they be hereby fully authorized and impowered, to pull down and remove all houſes, walls, and other buildings, and to lay into the ſaid road ſuch parts of the lands and grounds, through which the ſaid roads or foot paths ſhall paſs, as they or any ſeven or more of them ſhall think neceſſary, firſt making reaſonable ſatisfaction to every perſon, who ſhall or may ſuſtain any damage thereby, in ſuch manner as is hereafter mentioned.

Power to remove buildings,

and lay grounds into the road,

reaſonable ſatisfaction firſt made.

A. D. 1777-8. Chap. 10.

To mortgage separate north and south toll, as different works and funds.

VI. Provided always, that it shall and may be lawful for the said trustees to make distinct and separate mortgages of the tolls of the southern and northern line, and also to carry on the same as different works, and by and out of distinct and separate funds, if they shall think proper.

Any 7 may erect turnpikes and toll houses,

and take toll,

the toll,

VII. And be it further enacted by the authority aforesaid, that the said trustees, or any seven or more of them, or such person or persons as they, or any seven or more of them, shall authorise and appoint, shall and may erect and cause to be erected one or more gate or gates, turnpike or turnpikes, in, upon, or across any part or parts of the said roads, and also a toll house or toll houses, and there shall demand, receive, and take the tolls and duties following, before any horse, mare, or gelding, cattle, coach, berlin, chariot, calash, chair, waggon, wain, cart, carr, dray, or other carriage, shall be permitted to pass on the said road; that is to say, for every coach, berlin, chariot, calash, chaise, or chair, drawn by six horses or beasts of burthen, or more, the sum of one shilling and six pence; for every coach, berlin, chariot, calash, chaise, or chair, drawn by a less number than six, and more than two, the sum of one shilling; for every coach, berlin, chariot, calash, chaise, or chair, drawn by two horses, six pence; for every carriage, commonly called a chaise or chair, with one horse, mare, or gelding, the sum of three pence; for every carriage, called a brewer's dray with wheels narrower than nine inches, the sum of five shillings and five pence; for every waggon, wain, cart, or carriage, with four wheels, the breadth whereof not being less than six inches at the sole, and the streaks thereof set on with flat or rose headed nails, and the fore axle-tree of such carriage being so much shorter than the hind axle-tree that such carriage shall roll at least ten inches of the road in breadth on each side of such carriage, and the wheels thereof placed at such a distance from each other that the space between the middle of one track, made by the wheels on the road, and the middle of the other track, shall be from four feet ten inches to five feet, drawn by three or more horses, five pence; for every waggon, wain, or cart with two wheels, the breadth thereof being not less than six inches at the least, and the streaks thereof set on with flat or rose headed nails, drawn by one or two horses, three pence; for every waggon, wain, or cart with four wheels, narrower than six inches, ten shillings; for every waggon, wain, or cart, with two wheels, narrower than six inches, having one or more horses, five shillings; for every cart having but one horse, mare, gelding, or mule, the breadth of the wheels thereof being

three inches at the ſole, and the ſtreaks thereof ſet on with flat or roſe headed nails, two pence; for every cart, having but one horſe, mare, gelding, or mule, the breadth of the wheels thereof being four inches at the ſole, and the ſtreaks thereof ſet on with flat or roſe headed nails, one penny half penny; for every cart, having but one horſe, mare, gelding, or mule, with the wheels narrower than three inches, one ſhilling; for every horſe, mare, gelding, mule, or aſs, laden or unladen, not drawing, one penny; for every drove of oxen or neat cattle the ſum of one ſhilling and eight pence by the ſcore, and ſo in proportion for any greater or leſſer number; for every drove of calves, hogs, ſheep, or lambs, the ſum of ten pence by the ſcore, and ſo in proportion for any greater or leſſer number; which ſaid reſpective ſum and ſums of money ſhall be demanded and taken in the name of or as a toll or duty; and the money ſo to be raiſed as aforeſaid is and ſhall hereby be veſted in the ſaid truſtees; and the ſame and every part thereof ſhall be paid, applied, and diſpoſed of, and aſſigned to, and for the ſeveral uſes, intents, and purpoſes, and in ſuch manner as is hereinafter mentioned and directed.

veſted in ſaid truſtees.

applied as herein.

VIII. And be it further enacted by the authority aforeſaid, that the ſaid truſtees ſhall be impowered by themſelves, or any perſon or perſons by them, or any ſeven or more of them, under their hands and ſeals thereunto authorized, to levy the toll or duty hereby required to be paid, upon any perſon or perſons, who ſhall after demand made thereof neglect or refuſe to pay the ſame, by diſtreſs of any horſe or horſes, or any cattle or goods, upon which ſuch toll or duty is by this act impoſed, or upon any other of the goods or chattels of ſuch perſon or perſons who ought to pay the ſame, and may retain and keep the ſame, until ſuch toll or duty with the reaſonable charges of ſuch diſtraining and keeping ſhall be paid; and it ſhall and may be lawful to and for ſuch perſon and perſons ſo diſtraining, after the ſpace of five days after ſuch diſtreſs made and taken, to ſell the goods ſo diſtrained by publick auction, returning the overplus (if any be) upon demand to the owner thereof, after ſuch toll, duty, and reaſonable charges for diſtraining and keeping the ſame, ſhall be deducted.

On refuſal levy by diſtreſs and ſale in 5 days.

IX. Provided always, and be it further enacted by the authority aforeſaid, that no perſon ſhall be liable to pay toll more than once, who ſhall paſs, repaſs, or return through all or any of ſuch turnpikes, to be erected by the authority of this act, the ſame day, to be computed from twelve of the clock at night to twelve of the clock in the ſucceeding night, with the ſame coach, or other carriage,

Paid but once a day on producing ticket.

A. D. 1777-8. Chap. 10.

carriage, horſe, or other cattle, and ſhall produce a ticket, that the toll was paid at any of the ſaid turnpikes, which note or ticket the receiver or receivers, collector or collectors, is and are hereby required to give gratis upon receipt of the ſaid toll; and if any perſon having paid toll, and having ſuch note or ticket as is hereby directed to be given, ſhall give, offer, or diſpoſe of the ſame to any other perſon or perſons, or ſhall alter the ſame in order to avoid the payment of any of the ſaid tolls, every ſuch perſon giving, offering, diſpoſing, or altering of ſuch note or ticket, and the perſons receiving and making uſe thereof, ſhall reſpectively forfeit and pay the ſum of ten ſhillings.

giving or altering ticket to avoid toll, and receiving, 10s.

X. And be it further enacted by the authority aforeſaid, that out of the money ariſing from the profit of the ſeveral turnpikes, which have been or hereafter ſhall be erected, or out of any money borrowed or to be borrowed on the credit of this act, the ſaid truſtees, or any ſeven or more of them, ſhall firſt pay and diſcharge the expence of procuring this act of parliament, and of making the ſaid roads and foot paths, and of paying for the purchaſe of grounds and houſes, and of making compenſation for damages, as by this act is directed, and of erecting ſuch turnpike or turnpikes, or building ſuch toll houſe and toll houſes as aforeſaid; and from and after ſuch charges and expences ſhall be fully ſatisfied and paid, that then and from thenceforth the profits ariſing, and the tolls to be collected at each and every ſuch turnpike and turnpikes, ſhall be applied for and towards the repair of the ſaid roads and foot paths, and to the payment of the intereſt of any money borrowed or to be borrowed on the credit of the ſaid roads, and to the payment of the officers ſalaries, and to the erecting any bridge or bridges, except over the river Anna Liffey eaſtward of Eſſex bridge, or other works neceſſary for the convenience and ſupport of ſuch roads and foot paths, and for paying rewards as hereafter mentioned for the conviction of any perſon, who ſhall be guilty of robbing or maiming any perſon on ſaid roads or foot paths, or in paying off any debt contracted by ſaid truſtees, or to be contracted, or in eſtabliſhing a ferry boat for carriages over the river Anna Liffey oppoſite or near to the marine nurſery, or for planting trees along ſaid roads, as the ſaid truſtees, or any ſeven or more of them, ſhall think fit.

Charges and expences firſt paid,

then to repair the roads and paths,

to intereſt of ſums borrowed,

ſalaries,

bridges,

except eaſt of Eſſex Bridge,

neceſſary works,

convicting robbers, &c.

paying debt,

for a ferry,

or planting trees.

XI. And whereas the right of eſtabliſhing a ferry or ferries over the river Anna Liffey from the Old bridge in the city of Dublin to the town of Ring's end belongs to the lord mayor, ſheriffs and commons, and citizens of the ſaid city, and the ferries over

At requeſt of 7 Truſtees under ſeal

the

the ſaid river, and the right of eſtabliſhing ferries over the ſame from Eſſex-bridge to the ſaid town of Rings end, is now granted and demiſed by the ſaid lord mayor, ſheriffs, commons, and citizens to John Jones of the city of Dublin eſquire for a term of years, of which there are about twenty years unexpired, and the ſaid lord mayor, ſheriffs, commons, and citizens, and the ſaid John Jones, have reſpectively conſented and agreed to demiſe to the ſaid truſtees a paſſage or right of ferriage over the ſaid river, oppoſite or near to the ſaid Marine nurſery, for ſuch terms and ſubject to ſuch rents as are herein after mentioned: therefore be it further enacted by the authority aforeſaid, that the ſaid John Jones, his executors, adminiſtrators, and aſſigns, do and ſhall at the requeſt in writing of the ſaid truſtees, any ſeven or more of them, under their hands and ſeals execute or grant a leaſe of a ferry and right of eſtabliſhing a ferry over the ſaid river Anna Liffey, oppoſite or near to the ſaid Marine nurſery, for ſuch term of years as he or they ſhall then have in the ferries over the ſaid river.

John Jones to execute a leaſe of a ferry near Marine nurſery for his term.

XII. And be it further enacted by the authority aforeſaid, that the lord mayor, ſheriffs, commons, and citizens, of the ſaid city of Dublin, ſhall upon the like requeſt in writing, to be delivered to the town clerk of the ſame city, ſeal a like leaſe or grant to the ſaid truſtees, for ſuch term of years as the ſaid truſtees by ſuch writing ſhall require, not exceeding ſeventy years, and to commence from the expiration of the leaſe of the ſaid ferries now in being and made to the ſaid John Jones; upon each of which leaſes ſhall be reſpectively reſerved ſuch annual rents, payable reſpectively to the ſaid John Jones, his executors, adminiſtrators and aſſigns, and the ſaid lord mayor, ſheriffs, commons, and citizens of the city of Dublin, during the ſaid ſeveral and reſpective terms, as ſhall be adjudged and awarded by a jury, to be ſummoned, impannelled, and ſworn in the ſame manner, and under the like penalties, and with the ſame right of challenging to the parties, as is directed by this preſent act, and the ſaid act of the third year of his preſent Majeſty, reſpecting juries appointed for valuing grounds, through which the ſaid road is to paſs.

And by lord Mayor, &c. for further term not above 70 years,

rents reſerved as by Jury awarded,

ſummoned, &c. as herein and by 3 G. 3. c. 36.

XIII. And be it further enacted by the authority aforeſaid, that the rents ſo to be reſerved ſhall be charged upon and made payable out of the tolls of the ferry, to be eſtabliſhed at or near the ſaid Marine nurſery; and that the firſt annual payment of the ſaid rent ſhall be made payable on the firſt day of January, next after the ſaid ferry ſhall be opened for paſſengers.

Rents charged on ferry toll,

1ſt January after ferry opened.

Counterparts of leases by trustees.

XIV. And be it further enacted by the authority aforesaid, that the said trustees, any seven or more of them, shall seal and deliver counterparts of the said leases to the said John Jones, and the said lord mayor, sheriffs, commons, and citizens of the said city of Dublin respectively.

On two months neglect after request for leases, a right to ferry as if executed, paying rent as by jury.

XV. And be it further enacted by the authority aforesaid, that if the said John Jones, or the said lord mayor, sheriffs, commons, or citizens, shall neglect or decline to execute leases as aforesaid for two months next after such request made in writing as aforesaid, that then and from thenceforth the said trustees shall have the same right to establish a ferry, as if such leases were actually executed, paying such rent out of the tolls of the ferry to the said John Jones, and the said lord mayor, sheriffs, commons, and citizens respectively, during such time as the said ferry shall subsist, as shall be awarded by a jury in manner aforesaid.

15 Trustees after leases, or 2 months after request may establish ferry.

XVI. And be it further enacted by the authority aforesaid, that it shall and may be lawful to and for the said trustees, any fifteen or more of them, after the execution of such leases as aforesaid, or in two months after such request in writing for making the same, to establish a ferry and ferry boats for carriages, horses, mules, and other cattle, and passengers.

7 Trustees may contract for ground for toll houses with yards not above 100 feet square, by purchase or rent,

XVII. And be it further enacted by the authority aforesaid, that the said trustees, or any seven or more of them, shall be authorized and impowered from time to time to treat, contract, and agree with the several owners, proprietors, occupiers, and persons interested in any lands, tenements, houses, buildings, grounds, or hereditaments, through which any part of such roads are hereafter to be made, or for any ground that may be wanted for building toll houses, with sufficient yards thereunto, not exceeding one hundred feet square to each toll house, for the purchase thereof, or by way of annual rent for the same, or otherwise, as the said trustees or any seven or more of them shall think fit, and to pay for the same, and for any loss or damages, in such manner as in and by the said act of the third year of his present Majesty is particularly directed and appointed: and also that it shall and may be lawful for all bodies politick, corporate or collegiate, corporations aggregate or sole, and all feoffees in trust, executors, administrators, guardians, committees, and other trustees whatsoever, for and on behalf of any infants, femes covert, lunaticks, idiots, Cestui que trusts, and for all and every person or persons whomsoever, who are or shall be seized or possessed of, or interested in or in any wise entitled

compensation as by 3 *G.* 3. c. 36.

corporations, guardians, &c. impowered to convey.

to

to any ſuch lands, tenements, houſes, buildings, grounds, or hereditaments, to treat with the ſaid truſtees, or any ſeven or more of them, for the purchaſe of ſuch lands, tenements, houſes, buildings, grounds, or hereditaments, and to convey the ſame to ſuch truſtees, in ſuch manner and form as in and by the ſaid act of the ſaid third year of his preſent Majeſty is directed and appointed; and that ſuch truſtees, or any ſeven or more of them, in caſe of the neglect or refuſal of ſuch owners, proprietors, occupiers, or perſons intereſted as aforeſaid, to treat or agree for the purchaſe of ſuch lands, tenements, houſes, buildings, grounds, and hereditaments, or any of them, or any part or parts of them, or any of them, in manner as in ſaid act of the third year of his preſent Majeſty is ſet forth, ſhall have full power and authority to ſummon and impannel juries, and to examine perſons upon oath, and impoſe ſuch fines on ſaid jurors for their default, and to judge compenſation by the verdict of ſuch jury to ſuch owners, proprietors, occupiers, or perſons intereſted as aforeſaid, by way of annual income, or otherwiſe as the ſaid truſtees ſhall direct, and to charge the ſame upon the tolls, and in ſuch manner, and under ſuch regulations, powers, and authorities, as in and by the ſaid act of the ſaid third year of his preſent Majeſty is particularly ſet forth.

truſtees on refuſal may impannel juries, examine on oath, fine, and adjudge compenſation, as by ſaid act.

XVIII. And be it further enacted by the authority aforeſaid, that after ſuch annuity or annual rent ſhall be aſſeſſed by ſuch jury by way of compenſation to ſuch owners, proprietors, occupiers, or perſons entitled to or intereſted in ſuch grounds, houſes, buildings, lands, tenements, or hereditaments, it ſhall and may be lawful for the ſaid truſtees, or any ſeven or more of them, to ſign, ſeal, and execute to ſuch owner, proprietor, occupier, or perſon entitled by ſuch verdict to ſuch compenſation, a deed or writing under their hands and ſeals, charging the ſaid tolls of the ſaid road with ſuch annuity or annual rent, and ſhall cauſe the ſame to be delivered or tendered to ſuch owner, proprietor, occupier, or perſon intereſted in ſaid grounds, houſes, buildings, lands, tenements, or hereditaments, or to his or their own agent or agents, or to be left at his or their known uſual place or places of abode, dwelling, or reſidence.

After rent aſſeſſed may execute deed charging on the tolls, and tender to parties or agents.

XIX. And be it further enacted by the authority aforeſaid, that from and after the tender or delivery of ſuch deed in manner aforeſaid all ſuch houſes, buildings, and tenements, lands hereditaments, and premiſes, mentioned and ſpecified in the ſaid verdict, ſhall be the ſole and abſolute property of the ſaid truſtees; and that it ſhall and may be lawful to and for the ſaid truſtees,

After tender, the property of truſtees.

A. D. 1777-8. Chap. 10.

any seven or more of them, by themselves, their workmen, or agents, to pull down all such houses, buildings, and tenements, and to lay the ground whereon the same were erected, and also such other grounds, lands, or hereditaments as aforesaid, or such part thereof as they shall think fit, into the said road; and to do all and every such act, matter, and thing, with relation to such lands, tenements, houses, buildings, grounds, or hereditaments, and to wall in, ditch, drain, and fence out the same, in such manner as the said trustees, or any seven or more of them, shall think fit for carrying this act into execution; and said ground so secured and inclosed shall from thenceforth become and be a common highway to all intents and purposes whatsoever, and shall be repaired and kept in repair, in such manner as herein before and herein after is authorized and directed.

may pull down buildings, and lay into the road, wall in, ditch, and fence,

thenceforth a common highway,

repaired as herein.

XX. And be it further enacted by the authority aforesaid, that the said annuities or annual rent, so to be agreed for or assessed as aforesaid, shall be paid from time to time, as the same shall become due, by half yearly payments by the treasurer or treasurers of said road, the first payment thereof to begin and to be made within six calendar months next after such ground shall be taken by the said trustees as aforesaid; and such person and persons shall during the continuance of this act have the same estate and interest in such annuities or annual rents, as they would have had in the said ground, in case this act had never been made; and in default of payment thereof within thirty days after the same shall become due (being demanded of the treasurer or treasurers for the time being) it shall and may be lawful for the person or persons, who shall from time to time be entitled to the said annuities or annual rents, or any of them, to commence or prosecute one or more actions at law on the case or in debt against the treasurer or treasurers of the said roads on account of the said annuity or annual rent, and shall or may upon such action or actions recover the money then due, together with his or their full costs of suit, and have such remedy for the same, as are allowed by law in other cases; which said money and costs so recovered, when paid, shall be allowed to such treasurer in his account with the said respective trustees.

Rent paid half yearly by treasurers,

same interest in rents as in the ground,

on non-payment 30 days, recovered with full costs in *case* or *debt* against treasurer.

XXI. And be it further enacted by the authority aforesaid, that if any person or persons whatsoever, owning, renting, or occupying any land near unto any turnpike erected or to be erected in pursuance of this or the said former acts, shall for gain, reward, or otherwise wittingly or willingly permit any person or persons whatsoever to pass through any gate, passage, or way with

Permitting passage near turnpikes,

Penalty 10*s.*

with any coach, berlin, calaſh, chaiſe, or chair, waggon, wain, cart, carr, or carriage, or riding or driving any horſe, mare, gelding, mule, or aſs, or any ſort of cattle, and be thereof convicted upon oath before the ſaid truſtees, any ſeven or more of them, or before any one juſtice of the peace for the county or county of the city of Dublin, ſhall forfeit and pay to the truſtees authorized to put this act into execution the ſum of ten ſhillings, to levy by diſtreſs and ſale of the offender's goods by warrant under the hand and ſeal of ſuch juſtice of the peace, or under the hands and ſeals of the ſaid truſtees, or any five or more of them, rendering the overplus to the owner, if any be, the charges of taking and diſpoſing of ſuch goods being firſt deducted.

Side gates erected, and toll taken,

XXII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, to erect one or more gate or gates, turnpike or turnpikes, toll houſe and toll houſes, on the ſide of the ſaid roads, or acroſs any way or lane leading out of the ſaid roads, and there to receive and take ſuch toll, as is appointed by this act to be taken, ſo as the ſame do not extend to any of the great roads now leading into the city of Dublin, nor to create a double charge in caſe of paſſing through any other of the turnpikes, erected or to be erected by virtue of this act between the city of Dublin and any of the adjacent counties.

not extended to great roads into *Dublin*, no double charge.

Collectors to account monthly on oath,

XXIII. And be it further enacted by the authority aforeſaid, that every collector of the tolls of the ſaid roads, appointed or to be appointed purſuant to the ſaid acts, ſhall on the firſt Tueſday of every month, or oftner if required, during the continuance of this act, give in a true and perfect account in writing upon their reſpective oaths of all money received by them reſpectively for or on account of the tolls of the ſaid roads; which oath the treaſurer and treaſurers of the ſaid roads are hereby impowered reſpectively to adminiſter; and if any ſuch collector or collectors ſhall ſwear falſely in making ſuch affidavit, he and they ſhall upon conviction thereof ſuffer all the pains and penalties of a perſon, who ſhall be convicted of committing wilful and corrupt perjury.

Perjury puniſhed.

Salaries at general board,

XXIV. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, at any general board, to be held in purſuance of this act, ſhall and may order and allow to the treaſurer, collectors, receivers, or to any overſeer or overſeers of the ſaid roads or foot paths, any compenſation by way of annual ſalary, or otherwiſe, that they, or

A. D.. 1777-8. Chap. 10.

any ſeven or more of them, in their diſcretion ſhall think fit, not exceeding forty pounds ſterling to ſuch treaſurer by the year; twenty pounds ſterling by the year for each collector or receiver of the tolls; and the ſum of eighteen pence in the pound for every ſum that ſhall be expended by any overſeer or overſeers in the making or repairing ſuch roads and foot paths.

to treaſurer not above 40l. collectors 20l. each, Overſeers 18d. per £. expended.

XXV. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, ſhall have power from time to time to order any ſum or ſums of money, not exceeding at any one time fifty pounds ſterling, for apprehending and proſecuting to conviction any perſon or perſons who ſhall be guilty of robbing or maiming any perſon or perſons on ſaid roads, and ſhall order ſuch ſum and ſums to be paid by the treaſurer out of the tolls of the ſaid roads.

7 may order not above 50l. at one time for conviction of robbing or maiming.

XXVI. And be it further enacted by the authority aforeſaid, that no money ſhall be granted at any board for the making or repairing of any part of the ſaid roads or foot paths, unleſs it ſhall appear by the affidavit of two credible perſons, who can read and write, before ſome juſtice of the peace for the county or county of the city of Dublin, or before the ſaid truſtees at their ſaid board, which oath the ſaid juſtices and ſaid truſtees are hereby impowered to adminiſter, that ſuch a ſum is neceſſary to make or repair ſo many perches of the ſaid roads or foot paths at the rate of ſo much by the perch, and that a ſmaller ſum will not be ſufficient to repair or make the ſame; and that no money ſhall be paid by the treaſurer to any overſeer of ſaid roads, unleſs ſuch overſeer ſhall deliver to ſuch treaſurer an affidavit, ſworn before a board of ſaid truſtees, (which oath ſuch truſtees are hereby impowered to adminiſter) that the ſaid ſum hath been faithfully and honeſtly expended in making or repairing ſo many perches of ſaid roads or foot paths, and for his wages at not more than eighteen pence for each pound, ſo expended in making or repairing ſaid roads or foot paths, and that he did attend ſaid work diligently and carefully, and ſhall alſo produce an exact account of the number of men, horſes, and carts, or cars, employed each day at the ſaid work, and ſhall ſwear to the truth of ſaid account.

No grant at board for ſaid road till affidavit by 2 of ſo much per perch neceſſary,

nor payment to overſeer till affidavit of expenditure and account on oath.

XXVII. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, ſhall and may meet at ſuch days and places within the city or county of the city of Dublin, or any other place convenient to ſaid road, as by them, or any ſeven or more of them, ſhall from time to time be appointed, and ſhall adjourn their ſaid meetings to ſuch times and places

7 to meet and adjourn.

as

as aforeſaid, as they or any ſeven or more of them ſhall from time to time think proper; and if it ſhall happen, that there ſhall not appear at any meeting, to be had and held by the ſaid truſtees, a ſufficient number of ſuch truſtees to act at ſaid meeting, and to adjourn to any other day, then and in ſuch caſe the treaſurer by publiſhing notice in the Dublin Gazette or ſome other publick news paper at leaſt twenty days before the next meeting, ſhall appoint the ſaid truſtees to meet at the place, where the meeting of the ſaid truſtees was laſt appointed, or at ſome other convenient place near the ſaid roads; and that the ſaid truſtees at every meeting ſhall defray their own expences.

if not a number advertiſed by treaſurer 20 days before,

bear their own expences,

XXVIII. And be it further enacted by the authority aforeſaid that upon the death of any of the ſaid truſtees herein before named, or upon their reſigning or refuſing to act in ſuch truſt, it ſhall and may be lawful for the ſaid truſtees, or any ſeven or more of them, at their general board to elect another perſon in the room of ſuch perſon ſo dying, reſigning, or refuſing to act, which perſon ſo elected ſhall be to all intents and purpoſes veſted with all powers and authorities neceſſary for carrying this act into execution.

Vacancies ſupplied at board.

XXIX. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, or for any overſeer, or other perſon or perſons by them, or any ſeven or more of them, to be appointed at any general board, and for all perſons employed by ſuch overſeer or overſeers, to dig for, raiſe, gather, take, and carry away any gravel, ſand, ſtones, or other materials, which may be wanted for the making, repairing, or preſerving the ſaid roads and foot paths, out of any grounds of any perſon or perſons, not being a garden, orchard, yard, planted walk or walks, or avenue to a houſe, where ſuch materials are or may be found, and from time to time to carry away ſuch and ſo much of ſuch materials, as ſhall be neceſſary for the making or repairing ſuch roads and foot paths, or any other works to be carried on by ſaid truſtees, or any ſeven or more of them, paying nevertheleſs ſuch damages to the owner or occupier of ſuch ground as ſhall be reaſonable; and in caſe the ſaid truſtees, or the perſons appointed by them to raiſe, dig, and take away ſuch materials, ſhall diſagree about the quantum of ſuch compoſition, that then ſuch damages ſhall be aſcertained by three ſubſtantial houſe holders of the neighbourhood adjoining to the ſaid place, where ſuch materials are to be raiſed, one to be named by each of the parties, and the third by the next or any neighbouring juſtice of

Materials raiſed in any grounds, not gardens, &c.

paying damages,

aſcertained by 3 houſeholders adjoining, 1 by each, a 3d by a juſtice,

A. D. 1777-8. Chap. 10.

of the peace, who ſhall be ſworn by ſuch juſtice to be appraiſers of ſuch damages to the beſt of their ſkill; which damages ſo aſcertained by the ſaid appraiſers ſhall be paid by the treaſurer of the ſaid roads immediately upon producing a writing ſigned by the ſaid appraiſers, aſcertaining ſuch damages; and if any perſon ſhall obſtruct or prevent the ſaid truſtees, or the ſaid overſeers, or the perſon or perſons appointed by them as aforeſaid, in digging for, raiſing, or carrying away ſuch materials, ſuch perſon ſhall upon conviction by the oath of one credible witneſs before any one juſtice of the peace for the county or county of the city of Dublin forfeit for every ſuch offence a ſum not exceeding five pounds, to be levied together with the charges attending the ſame by diſtreſs and ſale of the goods of the offender by the warrant of any one juſtice of the peace of the county or county of the city of Dublin.

Sworn to appraiſe, paid by treaſurer, obſtruction to raiſing or taking away 5l.

XXX. And be it further enacted by the authority aforeſaid, that every perſon, who ſhall lay any dirt, dung, ſtraw, rubbiſh, aſhes, or the ſcouring of any ditches, or drains, or other filth, or any ſtones, or timber within forty feet of the centre of the ſaid roads, or who ſhall burn any bricks or weeds, or build any lime kiln, or ſmiths forge, within two hundred yards of ſaid roads, or pull down or injure any part of any bridge, toll houſe, foot path, gate, turnpike, poſt, mileſtone, finger poſt, or any other thing belonging to the ſaid roads or foot paths, or put any ſign poſt, or May buſh, or dig any ditch, pit, hole, or drain, or build any wall, or leave any carr or cart in the night time from ſun ſet to ſun riſe, within thirty feet of the centre of the ſaid roads, or leave the carcaſe of any horſe, mule, aſs, or other beaſt, or ſkin any dead horſe, mule, aſs, or other beaſt, within one hundred yards of the centre of ſaid road, or ſhall lead or drive any carr or cart with timber, boards, or iron laſhed croſs ways on ſuch carr or cart, or ſcrape the gravel off any part of ſaid road or foot paths, ſhall upon conviction by the oath of one credible witneſs before any one juſtice of the peace of the county or county of the city of Dublin, or upon the view of every ſuch juſtice, for every ſuch offence forfeit a ſum not exceeding twenty ſhillings, to be levied by diſtreſs and ſale of the goods of the offender by the warrant of any one juſtice of the peace of ſaid county, or county of the city of Dublin, and alſo ſuch timber, boards, or iron, to the perſon who ſhall ſeize the ſame; and that the ſaid truſtees, or any ſeven or more of them, may order any houſe or part of a houſe, lime kiln,

On nuiſance, or injury done, &c. with the timber, &c. to ſeiſor,

7 may order abatement of houſe, kiln, &c.

kiln, ſmiths forge, wall, or ditch, hereafter to be built or made contrary to the intent of this act, to be pulled down, and that any perſon may take and carry away all ſuch dung, dirt, ſtraw, aſhes, rubbiſh, and the ſcouring of ditches or drains, or other filth, ſtones, or timber, ſo laid as aforeſaid, and apply the ſame to his own uſe without being ſued or proſecuted for ſo doing.

rubbiſh, timber, &c. taken to ſeiſor's uſe.

XXXI. And be it further enacted by the authority aforeſaid, that no part of the land, which ſhall be purchaſed by the authority of this act for making any part of the ſaid roads, or any part of the lands through which the ſaid roads ſhall paſs, ſhall be made uſe of for the erecting of any building whatſoever, other than of ſuch toll houſes as are or may be erected by order of ſaid truſtees; and that no building whatſoever, except ſuch toll houſe, ſhall be erected within twenty five feet of the ſaid road on either ſide, and that no building whatſoever, except houſes whoſe walls ſhall be ſeventeen feet high at the leaſt, and built with ſtones, or bricks and lime, mortar, and well laſhed and ſlated, ſhall be erected within eighty feet of the ſaid road on either ſide: and that no part of the ſaid road ſhall be paved without a licence firſt obtained for that purpoſe under the hands and ſeals of the ſaid truſtees, or any ſeven or more of them; and if any ſuch buildings ſhall be hereafter erected contrary to the true intent and meaning of this act, it ſhall and may be lawful for the ſaid truſtees, or any ſeven or more of them, to order the ſame to be pulled down; and that no perſon keeping an inn, ale houſe, or houſe of publick entertainment, or who ſhall ſell ale, wine, brandy, or other ſpirituous liquors, ſhall be capable of taking, holding, or enjoying any place of truſt or profit under this act.

No building within 25 feet, ſave toll houſes,

nor within 80, unleſs walls 17 feet high, of ſtone or brick, lime, and mortar, laſhed and ſlated,

not paved without licence,

buildings contrary pulled down,

no publican to hold place.

XXXII. And be it further enacted by the authority aforeſaid, that if any perſon ſhall ride or drive any horſe, beaſt, or cattle on the foot path of ſaid roads, ſuch perſon upon conviction by the oath of any one credible witneſs before any one juſtice of the peace of the county, or county of the city of Dublin, or upon the view of ſuch juſtice, for every ſuch offence forfeit a ſum not exceeding twenty ſhillings, to be levied by diſtreſs and ſale of the horſe, beaſt, or cattle ſo ridden or driven on ſuch foot path; and that one moiety of all forfeitures and pecuniary penalties to be inflicted by this act ſhall go to the proſecutor with full coſts, and the other moiety to the governors of the houſe of induſtry for the county of Dublin.

Riding or driving on footpath, 20s.

all penalties to proſecutor with full coſts, and houſe of induſtry.

XXXIII. And be it further enacted by the authority aforeſaid, that his Majeſty's juſtices of the peace for the county and county

Juſtices for county and city impowered,

A. D. 1777-8. Chap. 10.

of the city of Dublin, may be impowered to put this act into execution, ſo far as relates to them, and to adminiſter the ſeveral oaths herein before directed to be taken within their juriſdictions; and that if any perſon, convicted of any offence by this act, ſhall not be able to pay the penalty, he or ſhe has incurred, it ſhall be lawful for the juſtice and juſtices of the peace, before whom ſuch perſon was convicted, to ſend ſuch perſon to the work houſe, houſe of induſtry, or houſe of correction of the county or county of the city of Dublin, there to remain at hard labour for ſuch time as the ſaid juſtice or juſtices ſhall think proper, not exceeding three months.

offenders unable to pay committed to hard labour not above 3 months.

XXXIV. And be it further enacted by the authority aforeſaid, that every perſon, who ſhall be guilty of wilful and corrupt perjury, or of falſe affirming, or of forging or counterfeiting the name of any juſtice of the peace or truſtee, treaſurer, collector, or overſeer of ſaid roads, and be thereof convicted by due courſe of law, ſhall incur the pains and penalties, which by law are enacted againſt wilful and corrupt perjury.

Perjury, forging names, puniſhed as wilful perjury.

XXXV. Provided always, and be it further enacted by the authority aforeſaid, that no gate, turnpike, or toll houſe ſhall be erected or tolls paid upon any part of the road made by the late lord viſcount Fitzwilliam between Rings end bridge and the road from Dublin to Donnybrooke without the conſent of the preſent lord viſcount Fitwilliam.

No turnpike on lord *Fitzwilliam*'s road without conſent.

XXXVI. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid truſtees, or any fifteen or more of them, to eſtabliſh a ferry boat or ferry boats for carriages over the river Anna Liffey oppoſite to or near the Marine nurſery, and to make ſuch convenient ways and paſſages and defences to ſuch ferry boat and ferry boats, as the ſaid truſtees, or any fifteen or more of them, ſhall think neceſſary; provided no ſuch works or defences ſhall be carried within the preſent walls of the ſaid river without the conſent of the pilot committee of the city of Dublin, or the majority of them, and to impower any perſon or perſons to demand, receive, and take the following tolls and duties, before any horſe, mare, or gelding, cattle, coach, berlin, chariot, calaſh, chair, carr, cart, or other carriage, ſhall be permitted to paſs over ſaid ferry, that is to ſay, for every horſe, mare, or gelding, or other cattle, two pence; for every coach, berlin, chariot, calaſh, or chaiſe, one ſhilling; for every two wheel chaiſe or chair ſix pence halfpenny; for every ſedan chair three pence; for every four-wheeled cart with ſix inch wheels four pence; for every two wheeled

15 Truſtees may eſtabliſh ferry boats for carriages near Marine nurſery, and paſſages and defences,

not within the river walls without conſent of pilot committee,

and take toll before paſſage,

the toll,

wheeled cart with ſix inch wheels two pence; for every cart two pence; and for every perſon one penny; which ſaid ſeveral ſums of money ſhall be raiſed and levied by and veſted in the ſaid truſtees, and ſhall be paid, applied, and diſpoſed of, and aſſigned to and for the eſtabliſhing ſuch ferry boat and ferry boats, and for making ſuch convenient ways, paſſages, and defences to ſuch ferry boat or ferry boats for the ſeveral uſes, intents, and purpoſes, and under the ſeveral regulations herein before mentioned.

veſted in truſtees, applied to eſtabliſh ferry-boats, &c.

XXXVII. And be it further enacted by the authority aforeſaid that the ſaid truſtees, or any ſeven or more of them, may borrow money on the credit of the tolls to them granted by this act, and may apply the ſame in defraying the expences of this act, and carrying the ſame into full execution, as herein before mentioned, and may aſſign over the ſaid tolls or any part thereof by writing under their or any ſeven or more of their hands and ſeals for any time or term, during the continuance of this act, as a ſecurity for any ſum or ſums of money to be advanced or lent to them on the credit thereof, payable to ſuch perſon and perſons who ſhall ſo lend the ſame, with ſuch rate of intereſt not exceeding the legal intereſt by the hundred, as the ſaid truſtees, or any ſeven or more of them, by writing under their hands and ſeals promiſe or agree to pay for the ſaid money ſo to be borrowed on the credit of the ſaid tolls, which intereſt ſhall be paid half yearly by the treaſurer of the ſaid road according to the agreement of the ſaid truſtees or any ſeven or more of them as aforeſaid.

7 Truſtees may borrow on ſaid tolls, and aſſign as ſecurity with intereſt half yearly.

XXXVIII. And be it further enacted by the authority aforeſaid, that the ſeveral tolls and duties hereby granted ſhall take place and have continuance from and after the firſt day of May in the year one thouſand ſeven hundred and ſeventy eight for and during the term of forty one years.

Toll continued 41 years from 1ſt *May* 1778.

XXXIX. Provided always, and be it further enacted by the authority aforeſaid, that no perſon or perſons, appointed or to be appointed truſtees for putting this act into execution, ſhall have or accept of any place or profit, ariſing out of or by reaſon of the toll or duty by this act laid or granted, but ſuch perſon or perſons ſhall be incapable from the time of accepting and continuing to enjoy ſuch place or profit of acting as a truſtee.

No place or profit to truſtee.

XL. And be it further enacted by the authority aforeſaid, that if any ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, that in every ſuch caſe

Suits for acting in 6 months,

A. D. 1777-8.

case the action or suit shall be commenced within six calendar months, next after the fact shall be committed, and not afterwards, and shall be laid in the county of the city of Dublin, and not elsewhere; and the defendant or defendants in such action or actions shall and may plead the general issue, and give this act and the special matter in evidence on any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear to have been done, or that such action or suit was brought after the time so limited as aforesaid, or in any other county or place than in the said county of the city of Dublin, that then the jury shall find for the defendant or defendants; and upon such verdict, or if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared, or if on any demurrer judgment shall be given against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same, as any defendant or defendants hath or have in any other cases by law.

laid in county of city.

defendants may plead general issue, &c.

and have treble costs.

A publick act.

XLI. And be it further enacted by the authority aforesaid, that this act shall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as such by all judges, justices, and other persons whatsoever, without specially pleading the same.

CHAP. XI.

An act for continuing and amending an act passed in the fourteenth year of his present Majesty's reign, entitled, *an act to prevent malicious cutting and wounding, and to punish offenders called chalkers.*

13 & 14 G. 3. c. 45.

WHEREAS divers profligate and evil disposed persons have of late with knives or other offensive weapons cut and stabbed, or with pistols have wounded, or attempted to wound, by firing, shooting, and discharging the same, many of his Majesty's subjects either with an intent to murder, rob, or maim, or merely with a wanton and wicked intent to disable or disfigure them: and whereas the laws now in force to prevent wanton, wilful, and malicious maiming and wounding, are found not to be sufficiently effectual to deter such evil disposed persons from the aforesaid wicked and barbarous practices: for the prevention therefore of the like mischiefs, and as a further remedy,

be

A. D. 1777-8.

be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons after the twenty fourth day of June in the year of our Lord one thouſand ſeven hundred and ſeventy eight, with any knife or other offenſive weapon ſhall wilfully, wantonly, and maliciouſly cut or ſtab, or with a piſtol or piſtols, or other fire arms wound or attempt to wound, any perſon or perſons in the face or head, or in any limb or member, or in any part of the body, with intent in ſo doing to murder, rob, or maim, or with an intent to diſable or diſfigure him, her, or them, the perſon or perſons ſo wantonly, wilfully, and maliciouſly cutting or ſtabbing, or with a piſtol or piſtols, or other fire arms, wounding, or attempting to wound, their counſellers, aiders, and abetters, knowing of and privy to the offence as aforeſaid, be on conviction thereof declared and adjudged to be felons, and ſhall ſuffer death as in caſes of felony without the benefit of clergy, or any ſtatute; and that the bodies of ſuch perſons, as ſhall be executed by virtue of this act, ſhall be delivered to the chirurgeons of the city of Dublin, or one of them, or to the profeſſor of anatomy in Trinity College near Dublin, to be by them diſſected or anatomized.*

with knife or offenſive weapon to cut or ſtab, or with piſtol or fire arms wound or attempt to wound with intent to murder, rob, or maim, or diſfigure, aiders and abettors, felony, death, the bodies to chirugeons or anatomy profeſſor.

II. Provided, That no attainder of ſuch felony ſhall extend to corrupt the blood, or forfeit the dower of the wife, or the lands, goods, or chattels of the offender or offenders.

No corruption of blood or forfeiture.

III. Provided alſo, That this act ſhall continue in force for four years from the twenty fourth day of June next.

Continued 4 years, and to 24 June 1789, by 19 & 20 G. 3. c. 15. ſ. 1.

CHAP. XII.

An Act for incorporating the Charitable Muſical Society for lending out Money Intereſt free to indigent and induſtrious Tradeſmen.

WHEREAS in the city of Dublin and ſuburbs thereof, there are always a great number of induſtrious tradeſmen, who from their extreme poverty are unable to ſupport themſelves and families, when viſited by ſickneſs or any other calamity, and are often incapable of earning to themſelves a livelihood for want of money to buy materials and other neceſſaries for carrying on their reſpective trades; whereby

* Sentence on conviction under this act to be immediately paſſed, and execution next day but one after, unleſs court ſee reaſonable cauſe for poſtponing it.

A. D. 1777-8. Chap. 12.

A voluntary ſociety inſtituted in 1756 for lending to indigent tradeſmen intereſt free,

ſeveral of that uſeful claſs of men have periſhed, and their families been reduced to beggary and become a burthen to the publick: for remedy whereof a voluntary ſociety was inſtituted in the year one thouſand ſeven hundred and fifty ſix, for the purpoſe of lending out money intereſt free to indigent tradeſmen: and whereas the good effects of the ſaid inſtitution were ſo rapidly and powerfully felt, that large ſums were collected, and many perſons of quality and diſtinction contributed largely to the aid and ſupport of the ſaid charity, whereby ſeveral thouſand families were relieved in the ſpace of a few years: and whereas great benefits are likely to ariſe from ſuch inſtitution to the kingdom of Ireland in general, and to the city of Dublin in particular, by conſiderably encreaſing the number of inhabitants therein, and promoting the trade and manufactures thereof, whereby the inhabitants of ſaid kingdom will be more able to contribute to the increaſe of the revenue, and the ſupport of the eſtabliſhment, and it might greatly promote the good ends aforeſaid, if corporations of the like kind were eſtabliſhed in the different manufacturing counties and market towns of this kingdom: and whereas divers perſons are willing to contribute large ſums of money for the good ends and purpoſes aforeſaid, but the ſaid voluntary ſociety are not capable in law of taking or receiving ſuch contributions, or of carrying their good intentions effectually into execution, unleſs they be incorporated by an act of Parliament, with ſuch clauſes, powers, juriſdictions, and authorities, as are uſual in ſuch like caſes: be it therefore enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the lord lieutenant or chief governors of Ireland, the lord primate, the lord chancellor, the lord archbiſhop of Dublin, the ſpeaker of the houſe of commons, the lord chief juſtice of the King's bench, the lord chief juſtice of the common pleas, and the lord chief baron of the court of exchequer, the right honourable William Randall earl of Antrim, Richard earl of Cavan, George Earl of Tyrone, Brinſley earl of Laneſborough, Richard earl of Shannon, James earl of Clanbraſſill, James earl of Charlemont, Charles earl of Bellamont, Robert earl of Roden, Henry earl of Ely, Edward earl of Aldborough, Charles lord viſcount Ranelagh, Richard lord viſcount Powerſcourt, Harvey lord viſcount Mountmorres, Stephen lord viſcount Mount Caſhell, Thomas George lord viſcount Southwell, the right reverend Charles lord biſhop of Cloyne,

governors appointed, and incorporated,

Iſaac

Iſaac lord biſhop of Cork, Joſeph lord biſhop of Ferns, the right honourable John Joſhua lord baron Carysfort, Edward Michael lord baron Longford, John lord baron Annaly, Simon lord baron Irnham, the right honourable Hercules Langford Rowley, Thomas Adderley eſquire, Richard Longfield eſquire, Richard Townſhend eſquire, Sydenham Singleton eſquire, William Meade Ogle eſquire, Robert Longfield eſquire, Charles Craven eſquire, Arthur Craven eſquire, ſir Thomas Blackall knight, the lord mayor, recorder, and ſheriffs of the city of Dublin for the time being, Luke Gardiner eſquire, George Putland eſquire, Mark Synott eſquire, William Smyth eſquire, Nathaniel Cavenagh eſquire, and Francis Heath eſquire, be, and they are hereby conſtituted and appointed governors, and ſuch others as ſhall from time to time be elected in the manner herein after directed, to be one body politick and corporate for ever in deed and in name by the name of the Charitable Muſical Society for lending out money intereſt free to indigent tradeſmen, and by the ſame name to have perpetual ſucceſſion, and to purchaſe, have, take, receive, and enjoy to them and their ſucceſſors for ever lands, tenements, hereditaments of whatſoever nature or kind, not exceeding in the whole the clear yearly value of one thouſand pounds, and alſo all manner of goods and chattels of what value ſoever, and by the ſame name to ſue and be ſued, plead and be impleaded, anſwered and be anſwered unto in all courts and places whatſoever within this kingdom in all ſuits, plaints, and demands whatſoever; and they and their ſucceſſors may have a common ſeal, ſuch as they ſhall think proper, for the uſe of the ſaid corporation; which it ſhall and may be lawful for them and their ſucceſſors to change, break, alter, or make new from time to time, as they ſhall think fit.

named,

may purchaſe 1000l. a year,

and do all corporate acts,

II. And be it enacted by the authority aforeſaid, That the ſaid corporation and their ſucceſſors for ever ſhall have one preſident, three vice preſidents, one treaſurer, one ſecretary, and one regiſter; and that the lord lieutenant for the time being ſhall alway be the preſident, and the earl of Laneſborough, lord viſcount Ranelagh, and lord viſcount Mountmorres, be the three firſt vice preſidents, and Arthur Craven eſquire the firſt treaſurer, and Thomas Blackall knight the firſt ſecretary, and Mr. Benjamin Higgins the firſt regiſter to the ſaid corporation, each to continue in their reſpective offices from the time of paſſing this act until the ſecond Tueſday in November following, unleſs the ſaid reſpective places, or any of them, become vacant before that time by death, deprivation, reſignation, or otherwiſe, or until others be choſen in their reſpective rooms.

III. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid preſident, vice preſidents, treaſurer, ſecretary, and regiſter, and the reſt of the members of the ſaid corporation alſo above named, or as many of them as conveniently can, within forty days next after the day of the paſſing of this act to meet together at ſuch time and place as the ſaid preſident

or any one of the said vice presidents shall appoint by summons, which the said president, or any one of the said vice presidents, are hereby impowered and required timely to issue for that purpose to the said members, or such of them as live within the city or liberties of the city of Dublin, where they, or the major part of them then present, may nominate, elect, and chuse new members, fill up vacancies in offices, if any shall happen, chuse such clerks and other inferior officers and servants, as shall be thought necessary or useful for the said corporation, to serve in said offices, until the second Thursday in November following, unless they shall sooner die, resign, or be removed.

3 stated general meetings every year,

IV. And be it further enacted by the authority aforesaid, That there be every year three stated general meetings of the said corporation within the Liberties of the said city of Dublin, to wit, on the second Thursday in November, the first Thursday in March, the first Thursday in June every year, and as many other general meetings, and at such times, as the said corporation or any five or more of them shall appoint; and that at the general meeting on the second Thursday in November in all times coming, or, in case of any emergency preventing their meeting on that day, then the next meeting, seven at the least being then present, whereof the president or one of the vice presidents to be always one, shall be elected three vice presidents to continue in their respective offices for one year, and until others be elected in their room, unless such vice presidents shall sooner die, be deprived of, or resign his or their respective offices.

others as 5 appoint,

at November meeting, 7 present, 3 vice presidents elected for 1 year, &c.

5 at meeting to administer oaths, and examine as to the charity.

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said governors at any of their meetings, five at least being present, to administer oaths, and to examine in the most solemn manner such persons, as they shall think proper, touching the affairs or management of the said charity.

7 at November meeting to elect officers, for 1 year, &c.

VI. And be it further enacted by the authority aforesaid, That it shall be lawful for the said corporation, or any seven of them, whereof the president or one of the vice presidents to be always one, to elect on the second Thursday in November in all future time, or, in case of any emergency preventing the meeting on that day, then at the next meeting, which one of the vice presidents, and seven at least of the said corporation shall have it in their power to appoint a treasurer, secretary, and register, and all such other officers and servants as they shall think needful for the said corporation; and the persons so chosen shall continue in their respective offices until the second Thursday in November in the year following, and until others shall be chosen in their rooms, unless such persons so chosen, or any of them, shall sooner die or be removed from or resign their respective offices.

VII. Be it further enacted by the authority aforeſaid, that the ſaid corporation or any ten of them, whereof the preſident or one of the vice preſidents to be always one, ſhall have full power to remove any treaſurer, ſecretary, regiſter, or any other officer or ſervant belonging to the ſaid corporation; and that upon any vacancy by the death of the treaſurer, ſecretary, regiſter, and other officers or ſervants, or by the reſignation or removal of them or any of them, the ſaid corporation ſhall have full power at any time to chuſe others in their places, ſeven members at leaſt being preſent, whereof the preſident or any one of the vice preſidents to be one.

10 may remove.

7 on vacancy to elect others.

VIII. And be it further enacted by the authority aforeſaid, that at all general meetings, in caſe of the abſence of the preſident the vice preſident firſt named in the liſt of the vice preſidents then preſent ſhall be the chairman of the ſaid meeting, and have a caſting voice in caſe of equality of votes; and in caſe the preſident and all the vice preſidents ſhall be abſent, the ſaid corporation, or any five or more of them, ſhall have power to appoint one of the members then preſent to preſide for ſuch time; and all acts done or orders made, whilſt the perſon ſo appointed preſides, ſhall be as valid and effectual, as if the preſident or vice preſidents had preſided.

On preſident's abſence, 1ſt vice preſident chairman, with caſting voice.

if all abſent, a member preſent appointed.

IX. And be it further enacted by the authority aforeſaid, that the ſaid corporation, or any ſeven or more of them, whereof the preſident or one of the vice preſidents to be one, ſhall have full power to elect ſuch perſons to be members of the ſaid ſociety, as they ſhall judge proper; which perſons from time to time elected ſhall be deemed to all intents to be members of the ſaid corporation, as if herein particularly named.

7 may elect members,

X. And be it further enacted by the authority aforeſaid, that the ſaid corporation at any time of the three ſtated general meetings before mentioned, and at no other meetings, ſeven members at leaſt being preſent, whereof the preſident or one of the vice preſidents to be one, ſhall have full power to make ſuch bye laws, rules, and ordinances for the good government of the ſaid corporation, as they ſhall judge meet and convenient; provided that ſuch bye laws be not repugnant to the laws of Ireland, and that the ſame be confirmed by ſome ſucceeding general meeting, at which ſeven at leaſt of the members ſhall be preſent, whereof the preſident or one of the vice preſidents to be one; and that the ſame method ſhall be obſerved in the altering or repeaſing ſuch bye laws rules, and ordinances, after they ſhall be ſo made and confirmed.

Bye laws at ſtated meeting, not repugnant to law, and confirmed, 7 preſent,

ſo on altering or repealing.

A. D. 1777-8. Chap. 12.

And leaſes 3 lives or 31 years, not in reverſion, at beſt rent, without fine, half yearly,

XI. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid corporation, or any ſeven of them, whereof the preſident or one of the vice preſidents to be one, at any of the ſaid ſtated general meetings to make or execute leaſes of any lands or tenements belonging to the ſaid corporation for any term not exceeding three lives if for lives, and if for years not exceeding thirty one years, to commence and take effect in poſſeſſion, and not in reverſion, or by way of future intereſt; upon which leaſe ſhall be reſerved during the continuance of the ſaid leaſe the beſt yearly rent, that can be got for the ſame, without fine, gratuity, or other reward; which rent ſhall be made payable half yearly on the two uſual feaſts of the year, on which rents are made payable.

Leaſes referred to committee, reported proper, by indenture. powers of diſtreſs and re-entry, evidence in all courts.

XII. Provided always, that the ſeal of the ſaid corporation ſhall not be affixed to any leaſe, which has not been referred to a committee, who ſhall report, that the leaſe under conſideration is a proper one, and is by deed indented, and that it contains the uſual powers of diſtreſs and re-entry for nonpayment of rent; which leaſe, ſo made under the ſeal of the corporation, ſhall be read as evidence in all courts of record without any further proof.

5 at meeting to lend intereſt free not under 40s. nor above 5l. to one, on borrower's note.

XIII. And be it further enacted by the authority aforeſaid, that the ſaid corporation, or any five of them, at any general meeting ſhall have power to lend ſuch ſum or ſums of money intereſt free to ſuch perſon or perſons, as they ſhall think fit, not leſs than forty ſhillings nor more than five pounds, to any one perſon at any one time, to be repaid at ſuch times and in ſuch ſums and proportions, as they ſhall think reaſonable; for which ſums ſo borrowed notes ſhall be paſſed by the borrower mentioning the terms of the loan.

Gifts to the ſociety veſted in the corporation, paid to their treaſurer, on not repaying loan treaſurer may ſue.

XIV. And be it further enacted by the authority aforeſaid, that all ſuch ſum or ſums of money, as have been hitherto ſubſcribed or bequeathed to the charitable muſical ſociety for the purpoſe of lending out money intereſt free to indigent tradeſmen within the city of Dublin and liberties thereof, ſhall veſt in the corporation aforeſaid, and by any order from them, or any ſeven or more of them, whereof the preſident or one of the vice preſidents to be one, may be paid to the treaſurer hereby appointed or any future treaſurer, whoſe receipt ſhall be deemed and taken as a ſufficient diſcharge and acquittal for the ſame; and in caſe any ſum of money lent by virtue of this act be not repaid purſuant to the terms of the loan, it ſhall and may be lawful to and for the ſaid treaſurer or any future treaſurer in his own

name

name to ſue for the ſame in any of his Majeſty's courts of this kingdom.

XV. And be it further enacted by the authority aforeſaid, that in caſe of the office or place of any one or more of the vice preſidents, or any one or more of the members of the ſaid corporation for the time being, or of any perſon that ſhall hereafter be choſen a member of the ſaid corporation, or of any of the officers or ſervants of the ſaid corporation, ſhall happen to become vacant by death, deprivation, reſignation, or otherwiſe, then the remaining and ſurviving members of the ſaid corporation ſhall not only continue and remain incorporate by the name aforeſaid to all intents, conſtructions, and purpoſes, but it ſhall and may be lawful for the ſaid corporation, or any ſeven of them, whereof one of the vice preſidents to be one, and they are hereby required, to meet for that purpoſe within the ſpace of days, after notice that ſuch vacancy has happened, to elect a new vice preſident or vice preſidents, and to elect members, officers, and ſervants of the ſaid corporation in the room of the vice preſident or the members of the ſaid corporation, who ſhall die, be removed, or reſign as aforeſaid.

On vacancy 7 to meet and elect.

XVI. And be it further enacted by the authority aforeſaid, that the ſaid corporation ſhall cauſe fair accounts in writing to be kept in books prepared for that purpoſe of all receipts and payments, and of all loans and other doing and tranſactions of the ſaid corporation, and of their officers and agents reſpectively, to be viewed and inſpected by any of the members of the corporation, or by any ſubſcriber or ſubſcribers, benefactor or benefactors, upon any occaſion, which accounts ſhall be examined, audited, and ſubſcribed upon the ſeventeenth day of November in every year or within fourteen days after by the ſaid corporation, or any ſeven of them, whereof the preſident or one of the vice preſidents to be one.

Accounts kept.

inſpected by members or ſubſcribers, &c.

audited 17 November, or 14 days after.

XVII. And in order to make the good effects of the ſaid charity as extenſive as poſſible throughout the kingdom of Ireland be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid corporation, or any ſeven of them, of whom the preſident or one of the vice preſidents to be one, to appoint ſuch perſon or perſons, as they ſhall think proper, by inſtrument under their hands and the ſeal of the ſaid corporation, thereby empowering them to receive contributions, and lend out ſuch ſum or ſums of money intereſt free, as they ſhall think proper, not leſs than forty ſhillings nor exceeding five pounds, at any one time, upon the like terms of payment as before mentioned,

To appoint perſons to lend on like terms in manufacturing counties and market towns.

A. D. 1777-8. Chap. 12.

tioned, to any perſon throughout the different manufacturing counties and market towns in this kingdom.

And receive contributions,

XVIII. And be it enacted by the authority aforeſaid, that the perſons, ſo appointed under the ſeal of the ſaid corporation, ſhall have power of receiving contributions and benevolencies in the different counties or towns, wherein they are appointed as aforeſaid; and that the benefactions and contributions, given in each county or town, ſhall be lent out to the indigent and induſtrious manufacturers reſident in ſuch county or town; and that the perſons acting under ſuch appointment ſhall keep regular books of account of all ſums, which they ſhall receive, and of all ſums of money lent by them, and the terms upon which ſaid ſums are ſo lent; which accounts, fairly tranſcribed, ſhall be tranſmitted once in each year to the ſaid corporation for their inſpection; and that the perſons ſo appointed ſhall (on nonpayment of any money borrowed from the corporation, and lent by them) have full power and authority to ſue for ſuch ſum or ſums of money by civil bill or othewiſe, as they ſhall think moſt adviſeable, and that producing the appointment under the ſeal of the corporation, without any other proof of its being the ſeal of the corporation, and proving the money to be advanced or lent, either by producing the note of the party, or otherwiſe by ſufficient witneſſes, ſhall be evidence of the debts being due, and ſufficient to put the defendant to the proof of his having repaid or ſatisfied the ſame purſuant to the terms of the agreement; and that the perſons ſo appointed ſhall have it in their power to chuſe a treaſurer and clerk from time to time; and that ſuch treaſurer may bring ſuch civil bill or action in his own name without naming any of the ſaid corporation or other ſubſtitutes as plaintiff in any action.

lent to the indigent and induſtrious there,

keep regular accounts,

tranſmitted once a year,

on nonpayment ſue by civil bill or otherwiſe,

the appointment under ſeal, the note, or witneſſes, evidence of debt, and put defendant on proof of repayment,

appointees may chuſe treaſurer or clerk,

to ſue in his own name.

XIX. Provided always, that no ſubſtitute ſo appointed ſhall take any fee or reward for executing the office aforeſaid; and that no treaſurer, clerk, or other perſon employed by them, ſhall be intitled to or receive any ſalary, fee, emolument, or reward for diſcharging the duty of his or their offices reſpectively, exceeding a yearly ſalary of two pounds ten ſhillings; and that the corporation aforeſaid, or any ſeven or more of them, of which the preſident or one of the vice preſidents to be one, upon the death, diſability, removal, or reſignation of any ſubſtitutes, or officer, or ſervants appointed by ſuch ſubſtitutes or officer, ſhall have power to appoint new ones to fill the places of ſuch ſubſtitutes or officers, or any of them, and from time to time to remove any of them for miſbehaviour, diſability, or any other cauſe, which ſhall appear ſufficient to them, or any ſeven or

No fee to ſubſtitute,

no ſalary to treaſurer, &c. above 2l. 10s.

7 may elect on vacancy of ſubſtitutes, officers, &c.

and remove on miſbehaviour, &c.

A. D. 1777-8.

or more of them, of which the preſident or one of the vice preſidents to be one.

Treaſurer reimburſed,

XX. Be it further enacted by the authority aforeſaid, that the ſaid corporation, or any ſeven or more of them, the ſaid preſident or one of the vice preſidents to be one, may and are authorized to order, that Arthur Craven eſquire, the preſent treaſurer, may be reimburſed and paid out of the fund belonging to the ſaid corporation, now in the bank of Meſſieurs William Gleadowe Newcomen and company, ſuch coſts and expences, as it ſhall appear to them, he hath been put to or ſuffered on account of the ſaid charity, and likewiſe to order that all arrears, which are at preſent due to the clerk, bailiff, or other perſons, who were employed in collecting the contributions to the ſaid charity, and lodging the ſame in the bank, ſhall be paid, according as the labour and trouble of ſuch perſon appears to them to deſerve, and likewiſe to order ſuch ſum of money to be paid, as ſhall appear to them to be reaſonable, to reimburſe the expences which may attend paſſing this bill into a law.

arrears to collectors, &c. paid,

and expences of this act.

A publick act.

XXI. And be it enacted by the authority aforeſaid, that this act ſhall be deemed and taken to be a publick act.

CHAP. XIII.

An act for eſtabliſhing a militia in this Kingdom.

The King or C. governor may iſſue commiſſions to proteſtants for ſuch county, where occaſion, for arraying militia during pleaſure.

WHEREAS a well regulated militia would conduce to ſtrengthen the civil power, and to protect the land: therefore be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that his Majeſty, his heirs and ſucceſſors, or the chief governor or governors for the time being of this kingdom, may from time to time for or in reſpect to any county therein, wherein he or they may ſee occaſion ſo to do, iſſue forth a commiſſion or commiſſions of lieutenantcy and array to ſuch perſon or perſons, being proteſtants, as his Majeſty, his heirs and ſucceſſors, or the chief governor or governors, ſhall think fit, to be deputy lieutenants, or commiſſioners of array in and for ſuch county, wherein ſuch occaſion ſhall be thought to exiſt, for arraying the militia therein during his Majeſty's pleaſure according to the regulations of this act.

A. D. 1777-8. Chap. 13.

Dissenters appointed may qualify as by 29 G. 2. c. 24.

II. And in order to obviate any doubt, which might arise, be it enacted by the authority aforesaid, that it shall and may be lawful at all times hereafter to and for all and every protestant dissenter and dissenters, who shall be duly appointed by the King's most excellent Majesty, his heirs or successors, or by the chief governor or governors of this kingdom, under and by virtue of this act, to be commissioner or commissioners of array for any county of this kingdom, or who shall be appointed in like manner to act and be an officer or officers in the militia of this kingdom, to qualify in such manner, as is directed by an act of parliament made in the twenty ninth year of the reign of his late Majesty, entitled, *An act to make it lawful for his Majesty's protestant dissenting subjects of this Kingdom to accept of and hold commissions in the militia, and to act in commission of array.*

Majority of commissioners whether lieutenant or governor of county present or not, may array and form into companies protestants between 18 and 50.

III. And be it further enacted by the authority aforesaid, that the lieutenant or lieutenants, governor or governors, of such county, together with such commissioners of array as aforesaid for any county, or the major part of them, whether the lieutenant or governor, lieutenants or governors, of such county be present or not, shall have full power to chuse, enlist, arm, and array, and form into companies, such or so many of the protestant inhabitants of such county between the ages of eighteen and fifty, as herein after is ordained.

Notice by secretary to the sheriff of appointing commissioners of array,

notice of meeting in 14 days, posted in every market town, where last assizes,

a clerk chosen at meeting,

precept to constables,

IV. And be it further enacted by the authority aforesaid, that as soon as such commissioners of array shall have been appointed for any such county as aforesaid, the sheriff of such county shall have notice sent to him thereof from the office of the principal secretary to the chief governor or governors for the time being, and be directed to post in the most conspicuous place in every market town within his bailiwick a notice in writing of a meeting of the said commissioners to be had in fourteen days from the day of posting, at the court house, wherein the last general assizes for such county were held; and that the said commissioners or the major part of them, when so assembled, shall chuse a clerk or secretary, and shall at such their first meeting issue their precepts to the several high constables of each barony or half barony within such county, commanding them respectively to issue their orders to the several petty constables of the several parishes, manors, or other places within the said county, which precepts and orders the said high and petty constables are hereby required strictly to obey under the penalties to be inflicted by this act; and which first mentioned precepts shall command and

requiring to return list of all protestant

require the said high constables on some certain day appointed

by the said commissioners, and mentioned in such precepts respectively, to return unto the said clerk or secretary a true and perfect list of all the protestant male inhabitants, as well inmates as housekeepers, at that time dwelling or residing within their respective districts, and between the age of eighteen and fifty, with their respective additions, occupations, and places of abode, and to distinguish in every such return such of the said inhabitants as labour under any infirmity of body or mind, whereby such person is incapacitated to serve in the militia.

Males, inmates and housekeepers, between 18 and 50, distinguishing the incapable.

V. And be it further enacted by the authority aforesaid, that every such high constable shall, within four days after the receipt of such precept, issue and direct to the petty constables of every parish, manor, or other place within the said barony, half barony or place, his order in writing signed by him, requiring the petty constables of every such parish or place to return upon oath to such high constable within fourteen days after the date of such order a true and exact list in writing of all the inhabitants required to be returned by the said precept, which is to be recited or copied in said order; and that upon the foot of every list so to be returned the following oath shall be made and subscribed by every such petty constable making such return, and shall be taken before a justice of the peace of the said county resident in such parish or place, if any such, and if no such, then before a justice of the peace resident in the parish next adjoining, which oath shall be in the words or to the effect following,

High constables in 4 days to order petty to return on oath such list in 14,

Oath by petty constables at foot thereof,

County of } *I* A. B. *petty constable of*
} *in the parish of* *in the said county, make oath, that the foregoing is a true and faithful list of all the male protestant inhabitants between the ages of eighteen and fifty, as well inmates as housekeepers, living and residing within the said parish, with their respective additions, occupations, and places of abode, to the best of my knowledge, information, and belief; and that I have truly distinguished therein all such persons, as I judge to be rendered by any infirmity of body or mind incapable to serve in the militia, with their particular cause and causes of such inability, to the best of my knowledge and belief; and that I have not for any cause or any motive or inducement whatsoever omitted to insert in the foregoing list the name of any male protestant inhabitant, whether inmate or housekeeper, between the ages of eighteen and fifty, living or residing within the said parish, or in any manner knowingly misrepresented or untruly set forth the name, addition, occupation,*

A. D. 1777-8. Chap. 13.

occupation, place of abode, rank, ſtation, age, diſorder, complaint capacity, or incapacity to ſerve, of any ſuch inhabitant, but that the ſaid liſt is in all reſpects true to the beſt of my judgment, knowledge, and belief.

High conſtables in a week to depoſit ſuch liſts with the clerk, with affidavits, with a tranſcript and oath at the foot,

VI. And be it further enacted by the authority aforeſaid, that every high conſtable ſhall within one week after receiving ſuch liſts or returns depoſit the ſame with the clerk or ſecretary of the ſaid commiſſioners of array, with ſuch affidavits as ſhall be thereto reſpectively ſubjoined, together with a true tranſcript of all the names, additions, occupations, places of abode, diſtinction, and obſervation, contained in ſuch liſts or returns, and ſhall at the foot of every ſuch tranſcript make and ſubſcribe before the ſaid clerk or ſecretary, who is hereby impowered to adminiſter the ſame, the following oath, that is to ſay,

Oath of high conſtables,

County of { *I* A. B. *high conſtable of the barony or half barony of* } *make oath, that the foregoing contains a true tranſcript of all the names of all the perſons contained in the ſeveral liſts, which have been returned to me, of the proteſtant male inhabitants of the ſaid barony between the ages of eighteen and fifty, together with the reſpective additions, occupations, places of abode, and other diſtinctions and obſervations as therein and thereby made, and that I have not knowingly or wilfully omitted or miſrepreſented the name, addition, occupation, or place of abode, of any perſon, or any diſtinction or obſervation contained in any ſuch liſt: and that I do not know or believe, there is any pariſh or part of pariſh within the ſaid barony, (or half barony) for which no return is made, in the ſaid liſts or one of them (except the pariſh of) for which no liſt hath been returned to me, (in caſe any has been omitted.)*

Parts of pariſhes for purpoſes of this act conſidered as in the barony where the pariſh church is.

VII. And be it enacted by the authority aforeſaid, that where any pariſh ſhall happen to extend into more than one barony, then ſuch parts of ſuch pariſh, as ſhall be in any barony, other than that wherein the ſcite of the pariſh church ſhall be, or the church for celebration of divine ſervice, ſhall be conſidered as part of, and ſhall be and is hereby united to, the barony, wherein the ſcite of ſuch pariſh church ſhall be, for the purpoſes of this act only, and no otherwiſe.

Conſtables, neglecting return or tranſcript,

VIII. And be it further enacted by the authority aforeſaid, that if any high or petty conſtable ſhall neglect or omit to make

make any return or tranſcript hereby directed and required, that then it ſhall and may be lawful for any two or more of the ſaid commiſſioners, being juſtices of the peace for the county in which ſuch neglect or omiſſion ſhall be made, upon complaint and proof on oath made thereof to impoſe ſuch fine and fines upon the perſon or perſons, who ſhall appear to them to be guilty of a default in any of the matters ſo required touching ſuch returns or tranſcripts, as to ſuch commiſſioners ſhall ſeem fit, ſo as any one of ſuch fines ſhall not in the whole exceed the ſum of fifty pounds; which fine or fines ſhall be paid to the treaſurer of ſuch county, and applied as herein after directed; provided always, that ſuch fine or fines ſo impoſed may be remitted to ſuch high or petty conſtable, in caſe the return or tranſcript, hereby directed and required, ſhall be made within ten days, after ſuch fine or fines ſhall be impoſed.

3 commiſſioners juſtices for the county, may fine not above 50l.

paid to county treaſurer,

remitted if return in 10 days.

IX. And be it further enacted by the authority aforeſaid, that every ſuch clerk or ſecretary of the ſaid commiſſioners ſhall, immediately after he ſhall receive ſuch liſts or returns and tranſcripts thereof as aforeſaid, enter or cauſe to be entered in a book, to be kept by him for that purpoſe, the names of all perſons contained in ſuch liſts or returns with their reſpective places of abode, additions, obſervations, and other diſtinctions according to ſuch returns, diſtinguiſhing the ſeveral baronies, half baronies, pariſhes and places, for which ſuch return ſhall be made, and ſhall affix to ſuch book an alphabet, wherein ſhall be alphabeted all ſuch names, and alſo all ſuch baronies, half baronies, pariſhes, and places, as ſhall be contained in the ſaid returns, for the uſe and inſpection of the ſaid lieutenants and deputy lieutenants, appointed or that ſhall be appointed in purſuance of this act; and ſhall immediately after ſuch returns made to him as aforeſaid give notice in writing to the ſaid commiſſioners of array, then reſident in the county, that he hath received ſuch returns for the uſe and inſpection of the ſaid commiſſioners; provided that if any perſon or perſons ſhall think himſelf or themſelves aggrieved by any thing contained in or omitted out of ſuch liſts or returns, and ſhall make the ſame appear to the ſaid commiſſioners of array at any one of the two next meetings, the ſaid commiſſioners of array ſhall direct ſuch liſts or returns to be amended, as to them ſhall ſeem meet.

Returns regiſtered,

diſtinguiſhing the baronies, &c.

alphabets affixed,

notice of returns to commiſſioners reſident,

who may at 1ſt or 2d meeting direct returns to be amended.

X. And be it further enacted by the authority aforeſaid, that the commiſſioners of array appointed for any county in this kingdom, or any three or more of them, ſhall within ſixteen

Any 3 in 16 days after notice of returns to meet where laſt aſſeſs,

A. D. 1777-8. Chap. 13.

days after notice to them the ſaid commiſſioners given by their ſaid clerk, or ſecretary, that he hath received ſuch returns, hold a publick meeting at the county town at the court houſe, where the laſt aſſiſes were held in and for the ſaid county, at which all the high and petty conſtables of ſuch county are hereby required to attend, (and of which meeting eight days publick notice in writing is to be poſted up by the ſheriff of the county in every market town in ſuch county) and ſhall then and there after inſpecting the returns aforeſaid, and examining the ſaid high and petty conſtables concerning the ſame, and concerning the vicinity of the ſeveral proteſtant inhabitants ſo returned with reſpect to each other, and the places moſt convenient to the ſaid inhabitants to attend to be arrayed and exerciſed in purſuance of this act, ſhall ſubdivide the whole county into ſuch or ſo many diſtricts, as ſhall each of them be capable of furniſhing with convenience in point of number and ſituation a company of militia, not leſs than twenty, commiſſion and non commiſſion officers included; and ſhall make a return to the chief governor or governors for the time being of ſuch ſub-diviſion, and the number of proteſtants in each diſtrict capable of ſerving in the militia, diſtinguiſhing ſuch perſons as are qualified and willing to ſerve as officers of the ſaid militia, and in what rank reſpectively; and ſhall certify to ſuch governor or governors the diſtrict of ſuch county, in which it is moſt neceſſary, that ſuch companies ſhould in the firſt inſtance be raiſed, if the number of companies, which government ſhall appoint to be raiſed in ſuch county, ſhall not be equal to the whole number of diſtricts.

conſtables to attend,

8 days notice poſted in market towns,

on examining vicinity and convenience the county ſub-divided,

each diſtrict to furniſh a company not under 20, officers included,

returned to C. governor,

and number of capable in each, diſtinguiſhing officers and rank,

diſtrict certified, in which moſt neceſſary to be 1ſt raiſed.

XI. Provided always, and be it further enacted and declared by the authority aforeſaid, that no diſtrict, in which a company ſhall be ſo raiſed, ſhall have a ſecond company raiſed therein, until after every diſtrict in the ſaid county ſhall have a company raiſed therein.

No 2d company in a diſtrict, 'till one raiſed in each.

XII. And be it further enacted by the authority aforeſaid, that ſuch chief governor or governors ſhall and may, in one month after ſuch return made to him or them, appoint and grant commiſſions to ſuch and ſo many perſons, willing and qualified as herein after mentioned to ſerve, whether returned in ſuch liſts or not, as ſhall be ſufficient to compleat the number of officers neceſſary for the command of the militia in ſuch county; that is to ſay, one captain, one firſt lieutenant, and one ſecond lieutenant, to be appointed to each company, and one adjutant for each county only; and if it ſhall happen, that any of the perſons

Chief governor in 1 month after return ſhall grant commiſſions to officers, whether in ſuch liſts or not,

1 captain, 2 lieutenants, each company,

1 adjutant each county,

ſons ſo commiſſioned ſhall die or remove out of ſuch county, or reſign his commiſſion, or be removed therefrom, then and ſo often ſuch chief governor or governors ſhall and may appoint ſo many officers as aforeſaid, as ſhall become ſo deficient; provided, that no perſon except the governor or governors, and deputy governor or governors, who ſhall be appointed an officer in the ſaid militia, ſhall, whilſt he continues an officer thereof, be a commiſſioner of array therein.

others appointed on vacancy, no officer except governor or deputy, a commiſſioner of array.

XIII. And be it further enacted by the authority aforeſaid, that the ſaid chief governor or governors ſhall cauſe notice to be given to the clerk or ſecretary of the commiſſioners of array of the perſons, ſo appointed officers in the militia for the ſaid county, together with the number of companies to be raiſed in each county, and the particular diſtricts in which ſuch companies ſhall be raiſed.

Notice to the clerk of officers appointed, number of companies, & diſtricts in which raiſed.

XIV. Provided, that the whole number of ſuch militia ſhall not in any one county, wherein any militia ſhall be raiſed, be leſs than one hundred, nor more than five hundred; ſave only in the county of the city of Dublin, wherein the number may amount to, and ſhall not exceed, one thouſand men, and the county of the city of Cork, wherein the number may amount to, but ſhall not exceed, ſix hundred men, and the county of the city of Limerick, wherein the number may amount to, but ſhall not exceed, five hundred men.

Not under 100, nor above 500, in one county, except in *Dublin*, 1000, *Cork*, 600, *Limerick*, 500.

XV. And be it further enacted by the authority aforeſaid, that ſuch clerk or ſecretary ſhall immediately after receiving ſuch notice acquaint the commiſſioners of array therewith, who are hereby required thereupon to appoint a day or days for the convening of the ſeveral proteſtant inhabitants of the reſpective diſtricts or ſubdiviſions aforeſaid at the principal market town in ſuch ſubdiviſion, or ſuch other town as ſhall be moſt in the centre thereof, and ſhall give ſeven days notice in writing to the proteſtant inhabitants of ſuch diſtrict or ſubdiviſion of the place at and day in which the ſaid inhabitants are to be ſo convened, by poſting up ſuch notice in every market town, and on the door of every church where divine ſervice is performed within ſuch diſtrict, to the end that every ſuch inhabitant may have due notice of the place where, and the day or time when, they are to be convened.

The clerk on notice to acquaint commiſſioners, who ſhall appoint days for convening at principal market in ſub-diviſion or moſt in the centre, 7 days notice poſted in every market town and church door.

XVI. And be it further enacted by the authority aforeſaid, that one or more of the deputy lieutenants or commiſſioners of array, and one or more of the juſtices of the peace, reſiding in ſuch ſubdiviſion, or in the neighbourhood thereof, together with

Proteſtant inhabitants of diſtrict voluntarily offering inliſted and inrolled,

A. D. 1777-8. Chap. 13.

with the captain and lieutenants appointed for such division, shall attend at the time and place specified by the said last mentioned notice, and then and there inlist and enroll such or so many of the protestant inhabitants of the said district, as shall voluntarily offer themselves to be enlisted and inrolled, chusing such men as they shall think the fittest, if a greater number shall so offer, than such company is to contain.

greater number offering, fittest chosen.

XVII. And be it further enacted by the authority aforesaid, that every person, whose name shall have been returned, and who shall not be present at such meeting to answer to his name, when so drawn, shall be fined in the sum of twenty shillings by the persons presiding at such meeting, or by any two or more of them; unless it shall appear to the persons so presiding by the testimony of one or more credible witness or witnesses upon oath, (which oath the persons so presiding are and every of them is hereby impowered to administer) that such person is by sickness or some other sufficient cause, to the satisfaction of the said persons presiding, prevented from attending personally at such meeting, or that he is exempted by this act from serving in the militia.

Not present at meeting when name drawn, fined 20s.

unless oath of sufficient cause,

or exempted by this act.

XVIII. And be it further enacted by the authority aforesaid, that every person, inlisting in the said militia as a volunteer, shall immediately thereupon subscribe his name or mark to a roll, to be kept for that purpose by the serjeant of the company; and that so soon as every such company shall be so inlisted, chosen, inrolled, and formed as aforesaid, the captain shall give notice thereof to the secretary of the chief governor or governors for the time being, to the end that cloathing may be forthwith provided for the said company; that is to say, one short skirted coat, one waistcoat, one pair of breeches, and one felt hat with a metal button and cockade, for each private man; which cloathing is not in the whole for each private man to exceed the sum one pound twelve shillings, nor for each serjeant the sum of forty shillings, nor for each drummer the sum of one pound twelve shillings.

Volunteers names subscribed to serjeant's roll,

notice of company formed, by the captain to chief governor's secretary.

cloathing provided.

for each private or drummer, 1l. 12s.

serjeant, 40s.

XIX. And be it further enacted by the authority aforesaid, that the captain of each company of militia, to be raised in pursuance of this act, shall and may appoint for every company one drummer and one serjeant; which drummer and serjeant shall during their respective continuance in such stations constantly reside at such place or places, as the captain shall appoint, and duly attend his orders, or in default thereof such captain may

Each captain to appoint a drummer and serjeant.

to attend constantly or displaced.

may diſplace ſuch ſerjeant and drummer reſpectively, and appoint other or others in his or their room.

The parliamentary proviſion, money out of treaſury on chief governor's warrant, to cloath ſuch militia.

XX. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the chief governor or chief governors of this kingdom for the time being by warrant under his or their hands, until proviſion ſhall be made by parliament for the purpoſes of this act, to cauſe ſo much money to be iſſued and paid out of his Majeſty's treaſury to his Majeſty's lieutenant, deputy lieutenant, or commiſſioners of array for every county, in which a militia ſhall be raiſed by virtue of this act, as ſuch chief governor or governors ſhall think neceſſary, to cloath ſuch militia in manner aforeſaid; not exceeding the eſtimate herein before mentioned: and his Majeſty's ſaid lieutenant or deputy lieutenant ſhall accordingly provide ſuch cloathing forthwith, and deliver the cloathing of each company to the captain of ſuch company for the uſe of the ſaid company.

Arms, &c. delivered out of the ſtores to the captain, on ſeal recognizance.

XXI. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the chief governor or governors of this kingdom for the time being to cauſe a number of arms and accoutrements, and a ſufficient quantity of ammunition, to be delivered out of his Majeſty's ſtores in this kingdom; which arms, accoutrements, and ammunition, together with the cloathing neceſſary for ſuch militia, ſhall be delivered to the captain of each company, ſuch captain firſt entering into ſecurity by recognizance to his Majeſty, his heirs and ſucceſſors, before the chief baron of his Majeſty's court of Exchequer for the time being, or any going judge of aſſiſe, or before any two juſtices of the peace of the county where ſuch captain reſides, and to be returned into the exchequer, in the ſum of five hundred pounds to be accountable for the ſame according to the terms of this act.

Captain to provide cheſts, to keep dry and ſecure, and ſee them cleanſed and returned after duty.

XXII. And be it further enacted by the authority aforeſaid, that the ſaid captain ſhall provide cheſts, wherein he ſhall keep the ſaid arms, cloaths, or accoutrements, in ſome dry and ſecure part of his houſe in ſeparate cheſts; and ſuch captain is hereby required to take care, that after exerciſe, or other duty, where cloathing and accoutrements ſhall be neceſſary, every militia man ſhall cleanſe and return his arms, cloaths, and accoutrements.

Captains to appoint convenient places in each diſtrict to train and exerciſe.

XXIII. And be it further enacted by the authority aforeſaid, that as ſoon as any body of militia, to be raiſed in purſuance of this act in any county in this kingdom, ſhall be provided with cloaths, arms, and accoutrements in manner herein directed, it

A. D. 1777-8. Chap. 13.

shall and may be lawful for the captains of each company of the said militia of the said county to meet or assemble themselves together, and appoint such places in each district for the training and exercising the said militia, as shall be most convenient to the habitations of the officers and private men of the said company; at which places the company of such district shall be trained and exercised; provided, that no such militia man shall be obliged to attend to be so trained and exercised for more than the space of twenty eight days in the year, which shall be between the last day of April and the first day of August in each year, and also for a time not exceeding two days in any other month in every year; provided that the number of said days, in which they shall be so trained and exercised, shall not in the whole exceed the number of forty six days in each year, and that such attendance shall be at such time within the said period, as the captain of such company shall appoint.

28 days between April and August, 2 any other month,

not above 46 in a year,

appointed by the captain.

XXIV. Provided, that nothing herein shall extend to prevent such captain or commanding officer from calling out his said company or any part of it for the publick service at any time upon the authority of any magistrate for the purpose of protecting the peace, and enforcing the execution of the laws.

Called out at any time for publick service on a magistrate's authority.

Names called over at exercise,

XXV. And be it further enacted by the authority aforesaid, that the serjeant, or such other person as shall be appointed to train and discipline the said militia men, shall, at every time and place appointed for assembling such militia men for that purpose, call over the names of the men appointed to be then and there assembled and exercised, and shall, within two days after every such exercise certify in writing to the captain or lieutenant of such militia men the name or names of the militia men, that may happen to be absent from exercise either at the time and place appointed, or during the time of exercise, or who shall depart without licence, together with the names of such militia men as shall be otherwise disobedient or misbehave; and any neighbouring justice of the peace, not being an officer commissioned in the militia, is hereby impowered and required, upon proof made upon oath before him, within two days after such offence shall be committed, to fine every such absent militia man (whose excuse he may not think sufficient) for the first time of his being so absent any sum not exceeding two shillings; and if such militia man shall refuse immediately to pay such fine, such militia man shall by order of such justice be set in the stocks for the space of one hour; and for the second offence such militia man, so convicted as aforesaid, shall forfeit and pay four shillings;

the absent, departing, or misbehaving, certified in 2 days to captain or lieutenant,

1st absence if not sufficient excuse, fined 2s. by a justice, not militia officer, on oath, on non-payment, stocks 1 hour,

ſhillings; and if ſuch militia man ſhall refuſe to pay immediately ſuch penalty, ſuch juſtice of the peace, before whom ſuch militia man ſhall be ſo convicted as aforeſaid, ſhall by warrant commit ſuch militia man to the houſe of correction or other priſon or place of confinement for four days; and for the third and every other offence ſuch militia man ſo convicted ſhall forfeit and pay ſix ſhillings; and if ſuch militia man ſhall refuſe immediately to pay ſuch penalty, ſuch juſtice of the peace, before whom ſuch militia man ſhall be ſo convicted as aforeſaid, ſhall by warrant commit ſuch militia man to the houſe of correction or other priſon for any time not exceeding one month, or until ſuch penalty ſhall be ſooner paid; and if any militia man ſhall be diſabled by drunkenneſs at the time of his exerciſing, ſuch militia man, being thereof convicted on oath before ſuch juſtice of the peace, ſhall forfeit and pay ten ſhillings; and if ſuch militia man ſhall refuſe immediately to pay ſuch penalty, ſuch militia man ſhall be by order or warrant of ſuch juſtice committed to the next priſon, there to remain for any time not exceeding two days; and if any militia man ſhall be diſobedient or inſolent to his officers, and be convicted thereof as aforeſaid, ſuch militia man ſhall for the firſt offence forfeit and pay twenty ſhillings; and if ſuch militia man ſhall refuſe immediately to pay ſuch penalty, ſuch juſtice of the peace, before whom ſuch militia man ſhall be ſo convicted as aforeſaid, ſhall by warrant commit ſuch militia man to the houſe of correction or other priſon for the ſpace of ſeven days, or until he pays the ſaid penalty, which ſhall firſt be; and for the third and every other offence ſuch militia man, ſo convicted as aforeſaid, ſhall forfeit and pay forty ſhillings; and if ſuch militia man ſhall refuſe immediately to pay ſuch penalty, the juſtice of peace, before whom ſuch militia man ſhall be ſo convicted as aforeſaid, ſhall by warrant commit ſuch militia man to the houſe of correction or other priſon for any time not leſs than fourteen days, nor exceeding one month, or until he pays the ſaid penalty, which ſhall firſt be; and if any militia man ſhall ſell, pawn, embezzle or loſe any of his arms, cloaths, ammunition, or accoutrements, ſuch militia man, being thereof convicted in manner aforeſaid, ſhall forfeit and pay a ſum not exceeding three pounds, nor leſs than the full value of the arms, cloaths, ammunition, or accoutrements ſo ſold, loſt, pawned, or embezzled; and if ſuch militia man ſhall refuſe immediately to pay ſuch penalty, the juſtice of the peace, before whom ſuch militia man ſhall be ſo convicted as aforeſaid, ſhall by warrant commit ſuch militia man to the houſe of correction,

2nd offence, 4s. or committed 4 days.

further offence, 6s. or committed 1 month,

drunkenneſs 10s. or impriſoned 2 days,

diſobedience or inſolence 20s. or committed 7 days,

further offence 40s. or committed not under 14 days nor above 1 month,

embezzling, loſing arms, &c. not above 3l. nor under full value,

refuſing, committed 1 month, if unable 3,

tion,

A. D. 1777-8. Chap. 13.

tion, or other prison, for the space of one month, and until satisfaction be made for the same, and if he shall not be of ability to make such satisfaction, then for the space of three months; and if any militia man shall refuse or neglect to return his arms, cloaths and accoutrements in good order to his captain on the day of exercise, or the next day after he shall be licensed to depart, such militia man, being thereof convicted as aforesaid, shall for every such offence forfeit and pay two shillings and sixpence; and if such militia man shall refuse immediately to pay such penalty, the justice of the peace, before whom such militia man shall be so convicted as aforesaid, shall by warrant commit such militia man to the house of correction or other prison for the space of seven days, or until he pays the said penalty, which shall first be; and if any militia man shall refuse or neglect to return his arms, cloaths, and accoutrements in good order to his captain within one day after such general exercise by companies shall be finished, or the service, for which the same shall have been delivered out, shall be finished or concluded, and be thereof convicted as aforesaid, such militia man shall forfeit and pay five shillings; and if such militia man shall refuse immediately to pay such penalty, the justice of the peace, before whom such militia man shall be so convicted as aforesaid, shall by warrant commit such militia man to the house of correction, or other prison for the space of fourteen days, or until he shall return such cloaths, arms, or accoutrements in good order.

not returning arms, &c. in good order 2s. 6d. or committed 7 days,

not returning in 1 day after general exercise or service, 5s. or committed 14 days.

Non commissioned officer negligent or insolent, not above 20s. or committed 14 days;

XXVI. And be it further enacted by the authority aforesaid, that if any non commissioned officer shall be negligent in his duty, or insolent or disobedient to the orders of his superior officer, and be thereof convicted as aforesaid upon the oath of such superior officer before one or more justice or justices of the peace, such non commissioned officer shall forfeit and pay any sum not exceeding thirty shillings at the discretion of such justice or justices; and if such non commission officer shall refuse immediately to pay such penalty, the justice or justices of the peace, before whom such non commission officer shall be so convicted as aforesaid, shall by warrant commit such non commission officer to the house of correction or other prison for the space of fourteen days, or until he pays the said penalty, which shall first be; and such superior officer, being a captain, may discharge such non commission officer out of the militia, if he shall think fit.

superior, if captain, may discharge.

To buy or otherwise receive the arms, &c. 5l.

XXVII. And be it further enacted by the authority aforesaid, that if any person shall knowingly or willingly buy, take in exchange,

change, conceal, or otherwiſe receive contrary to the true intent and meaning of this act, any arms, cloaths, ammunition, or accoutrements belonging to the militia, upon any account or pretence whatſoever, the perſon ſo offending, being convicted thereof upon oath before one or more ſuch juſtices of the peace, ſhall forfeit and pay for every ſuch offence the ſum of five pounds; and if ſuch offender ſhall refuſe immediately to pay ſuch penalty, the juſtice or juſtices of the peace, before whom ſuch offender ſhall be ſo convicted as aforeſaid, ſhall by warrant under the hand and ſeal or hands and ſeals of ſuch juſtice or juſtices levy the ſame by diſtreſs and ſale of the offender's goods and chattles, rendering the overplus (if any) on demand, after deducting the charge of ſuch diſtreſs and ſale, to ſuch offender, upon whom ſuch diſtreſs ſhall have been made as aforeſaid; and for want of ſuch diſtreſs ſhall commit ſuch offender to the common gaol of the county, where the offence ſhall have been committed, there to remain without bail or mainprize for the ſpace of three months, or ſhall cauſe ſuch offender to be publickly whipped at the diſcretion of ſuch juſtice or juſtices.

Levied by diſtreſs and ſale,

or impriſoned 3 months, or whipped.

XXVIII. And be it further enacted by the authority aforeſaid, that when any militia man, raiſed and inrolled as aforeſaid, ſhall die, or enter into any of his Majeſty's land or ſea forces, or be appointed a ſerjeant in the militia, or be diſcharged for any juſt cauſe, another perſon ſhall be raiſed to fill up ſuch vacancy in the ſame manner, in which the company was originally raiſed in purſuance of this act.

On vacancy another raiſed in ſame manner.

XXIX. Provided always, and be it further enacted by the authority aforeſaid, that no private man ſerving in the militia ſhall during the time of ſuch ſervice be appointed to ſerve as a peace officer or pariſh officer; and if ſuch private man ſhall have duly ſerved in the ſaid militia during the term required by this act, he ſhall be admitted to buy, ſell, and follow his trade, without fee or reward, fine, quarterage, or intruſion, or other money whatſoever, in every city and town corporate in this kingdom, any charter, grant, or uſage to the contrary notwithſtanding.

No private a peace or pariſh officer,

duly ſerving may follow trade in corporations without fee, quarterage, &c.

XXX. Provided nevertheleſs that no perſon, who ſhall have ſerved his full time in the militia in and for any one county, ſhall be obliged upon his removal to any other county to ſerve a ſecond time in the militia for any ſuch other county.

Not obliged to 2nd ſervice in another county.

XXXI. And be it further enacted by the authority aforeſaid, that no perſon who ſhall keep any houſe of publick entertain-

No publican a ſerjeant,

A. D. 1777-8. Chap. 13.

ment, or who shall sell any ale, wine, brandy, or any other spirituous liquors by retail, shall be capable of serving as a serjeant in the militia; and every person, appointed to be a serjeant out of the pensioners of the royal hospital near Kilmainham, shall, after being discharged from the service of the said militia, be again put upon the said establishment.

serjeant from *Kilmainham* re-established after discharge.

Treasurer, sheriff, constables, on neglect of orders, fraud, or partiality, fined by 2 justices not above 50l. nor under 5l.

XXXII. And be it further enacted by the authority aforesaid, that if any treasurer, sheriff, high or petty constable, shall refuse or neglect to comply with the orders or directions, which they shall from time to time receive from his Majesty's lieutenant or commissioners of array, or any three or more of them, in pursuance of this act, or shall be guilty of any fraud or wilful partiality with respect to any thing herein contained, any two justices of the peace are hereby impowered and required to fine every such offender in any sum not exceeding fifty pounds, nor under five pounds, to be levied by distress and sale of the offender's goods by warrant of such justices under their hands and seals, or that the said justices shall in their discretion, instead of imposing such fine, commit every such offender to the common gaol of the county, there to be kept without bail or mainprize for any time not exceeding three months.

or imprisoned 3 months.

Pay ordered by C. governor out of treasury or by collectors for the days assembled and exercised,

XXXIII. And be it further enacted by the authority aforesaid, that the chief governor or governors of this kingdom for the time being shall and may, after the militia of any county is cloathed and accoutered as aforesaid, and when the same becomes necessary, cause to be issued by order of the chief governor or governors for the time being either out of his Majesty's treasury, or paid by the collector of the customs or excise resident in or next adjoining to such county, to the clerk or secretary of the said commissioners of array so much money, as shall be necessary for the pay of each captain and each lieutenant, and so many private men of the militia as shall be assembled, trained, and exercised, for the number of days they shall be so assembled, trained, and exercised, at the same rate *per* day for the officers according to their several ranks as they are paid in the regular forces, and at the rate of eight pence *per* day for each private man, together with as much money as will be sufficient to pay one adjutant for each county at the rate of four shillings *per* day, and each drummer eight pence *per* day, and each serjeant one shilling *per* day during the year, which money shall be provided for by parliament; and the said treasurer shall pay over to the captain or commanding officer of each company the pay of such company; and such captain or commanding officer shall

for officers as in the regulars,

privates and drummer 8d. a day,

adjutant 4s.

serjeant 1s.

provided by parliament,

company's pay to commanding officer,

cause

cauſe the ſame to be paid over to or for the reſpective perſons intitled thereto without any deduction in ſuch manner or proportions, and at ſuch times or ſeaſons, as ſhall be previouſly agreed upon and directed by the commiſſioners of array for the ſaid county, or any three or more of them; provided that the pay of each private man ſhall not exceed one pound ten ſhillings and eight pence in the year; and provided alſo, that the officers, ſerjeants, drummers, and private men, ſhall at leaſt be paid once in every quarter.

paid over without deduction as by 3 commiſſioners,

privates not above 1l. 10s. 8d. a year,

payment quarterly at leaſt.

XXXIV. And be it further enacted by the authority aforeſaid, that when and as often as the militia of any county, or any part of ſuch militia, ſhall be employed in ſuppreſſing inſurrections and outrageous tumults, and in purſuing, apprehending, and attending the execution of notorious offenders, ſuch and ſo many of the private men of the ſaid militia ſhall, during the time they ſhall be employed in all or any of the ſervices aforeſaid, be intitled to the pay of one ſhilling *per* day; the whole of which may upon information on oath, aſcertaining the nature of the ſervice or duty in which the ſaid militia were ſo employed, and the length of time they were employed therein, be preſented by the grand jury of the county, in which ſuch militia ſhall be ſo employed, and paid to the commanding officer or officers of ſuch militia men, to be by them immediately paid to ſuch militia men in manner aforeſaid; and that when and as often as they ſhall be called out by order of government for the purpoſes of repelling an invaſion, or for the public ſervice, that then and in that caſe they ſhall be paid out of the public funds, as herein before mentioned, to be made good by parliament, and ſhall be intitled to the ſame pay, as the officers and private men in his Majeſty's other regiments of foot in this kingdom receive, and no other; and provided alſo, when they ſhall be ſo embodied and regimented, that they ſhall be ſubject to the ſame laws and regulations as his Majeſty's regular forces.

1s. a day to privates employed in publick ſervice,

preſented by grand jury, and paid to commander,

if called out by order of government, paid out of publick funds as other foot,

and when embodied ſubject as regulars.

XXXV. And whereas in caſes of invaſion or inſurrection, and alſo for the purpoſes of better diſciplining the militia, it may be neceſſary to embody and regiment ſuch companies, as ſhall be raiſed, by the regulations herein before mentioned, in their ſeveral counties: be it enacted by the authority aforeſaid, that it ſhall and may be lawful for the chief governor or chief governors of Ireland for the time being to iſſue their order whenever they ſhall think it neceſſary, to the governor or governors, or lieutenant, or lieutenants, or in his or their abſence to

Aſſembled and regimented on C. governor's orders,

to the deputy governor or governors, lieutenant or lieutenants, of each county; or, if there be no deputy governor or governors, to the commissioners of array, to assemble and regiment the said companies, and also, if they shall think proper, to issue their orders to assemble and regiment the said companies once in every year in order to be trained and exercised at such place, as shall be most convenient and most contiguous to the different districts, where such companies have been raised; such regiment of militia, detachment, or companies, to be billeted by the civil magistrate in like manner as the regular forces of this kingdom are, during the time either of their being embodied, or called out on any service; government to provide said companies or regiments with such ammunition and stores as may be necessary, the expence of which to be made good by parliament; provided that they shall not be so assembled and embodied except between the last day of April, and the first day of August as aforesaid, unless in case of invasion or insurrection; and also that the chief governor or chief governors of this kingdom for the time being shall have power to issue commissions to persons, as herein after qualified to serve as field officers to such regiments, during the time that they shall be so embodied; provided that no officer shall receive any pay whatsoever as being a field officer in such regiment of militia; and provided also, that the said companies or regiments shall not be sent out of their respective counties, except in cases of invasion or insurrection, and shall never upon any account be sent out of this kingdom.

billeted as regulars while embodied or called out,

ammunition and stores provided, made good by parliament,

embodied only between April and August unless invasion or insurrection,

commissions for field officers while embodied,

no pay to officer as such,

not sent out of county unless invasion, &c.

never out of the kingdom.

XXXVI. And be it further enacted by the authority aforesaid, that all the fines, penalties, and forfeitures, by this act imposed, the manner of recovering whereof is not in this act particularly provided for, shall on proof upon oath of the offence before any justice of the peace of the county, where the offence shall be committed, not being then an officer commissioned in the militia, be levied by distress and sale of the offender's goods and chattles by warrant under the hand and seal of such justice, rendering the overplus (if any) on demand after deducting the charges of such distress and sale to the offender, where such distress shall have been made; and when the goods and chattles of such offender shall not be sufficient to answer such distress, such justice is hereby required to commit such offender to the common gaol of the county, city, or place, where the offence shall have been committed, for any time not exceeding three months; and all fines, penalties, and forfeitures, by this act imposed, shall be paid to the clerk

Fines, not provided for, on oath before a justice, (not an officer) levied by distress and sale,

on default of distress imprisoned 3 months,

paid to clerk,

clerk of the commiſſioners of array, and ſhall be made a common ſtock; and the clerk ſhall give a particular account thereof, as it ſhall ariſe to his Majeſty's lieutenant or deputy lieutenants, by whoſe orders the ſame muſt be applied to the contingent charges, which ſhall attend the militia.

a common ſtock, accounted for to lieutenants, applied to contingencies.

XXXVII. And be it further enacted by the authority aforeſaid, That in all caſes where his Majeſty's juſtices of the peace, or any of them, are required to examine, hear, and determine, all witneſſes ſhall be examined upon oath; which oath ſuch juſtice or juſtices of the peace is and are hereby impowered to adminiſter; and that no perſon ſhall be obliged to ſerve in any militia, to be raiſed or arrayed in purſuance of this act, longer than three years, and ſhall at the expiration thereof be entitled to the cloathing provided for him as aforeſaid.

Juſtices to examine on oath, none obliged to ſerve above 3 years, intitled then to the cloathing.

XXXVIII. And be it further enacted by the authority aforeſaid, That no perſon ſhall be appointed a deputy lieutenant, commiſſioner of array, or colonel of militia, who ſhall not have an eſtate of freehold in poſſeſſion within the county, for which he ſhall be ſo appointed a deputy lieutenant, commiſſioner of array, or colonel of militia, of the clear yearly value of three hundred pounds, or who ſhall not be heir apparent or next in remainder to an eſtate of freehold in the ſaid county of the clear yearly value of ſix hundred pounds; and that no perſon ſhall be appointed lieutenant colonel or major to ſerve in any company of militia for any county in this kingdom, who ſhall not have an eſtate of freehold in poſſeſſion in ſaid county of the clear yearly value of two hundred pounds, or who ſhall not be heir apparant or next in remainder to an eſtate of inheritance or freehold of the clear yearly value of four hundred pounds; and that no perſon ſhall be appointed a captain to ſerve in any company of militia for any county in this kingdom, who ſhall not have an eſtate of freehold in poſſeſſion in the ſaid county of the clear yearly value of two hundred pounds, or who ſhall not be heir apparent or next in remainder to an eſtate of inheritance or freehold of the clear yearly value of four hundred pounds; and that no perſon ſhall be appointed to ſerve as a lieutenant in any company of militia in any county in this kingdom, who ſhall not have an eſtate of freehold in poſſeſſion in the ſaid county of the clear yearly value of one hundred pounds, or who ſhall not be ſon or brother to a perſon, who has an eſtate of inheritance or freehold in the ſaid county of the clear yearly value of two hundred pounds, except in counties of towns and counties of cities, in which places it ſhall be ſufficient, if ſuch deputy lieutenant,

Deputy lieutenant, commiſſioner, or colonel, to have 300l. a year freehold in the county, or heir or next remainder to 600l.

lieutenant colonel or major or captain 200l. a year, or heir or remainder to 400l.

a lieutenant 100l. a year or ſon or brother to one of 200l.

in counties of towns and cities a deputy lieutenant, commiſſioner, or colonel 50l. a year,

A. D. 1777-8. Chap. 13.

tenant, commiſſioner of array, or colonel of militia, ſhall have an eſtate of freehold in poſſeſſion in the county of the town or county of the city, for which he ſhall be ſo appointed a deputy lieutenant, commiſſioner of array, or colonel of militia, of the clear yearly value of fifty pounds; and that no perſon ſhall be appointed a lieutenant colonel or major, who ſhall not have an eſtate of the clear yearly value of thirty pounds, or a captain in ſuch laſt mentioned places, who ſhall not have an eſtate of freehold in poſſeſſion of the clear yearly value of twenty five pounds; and that no perſon ſhall be appointed a lieutenant in ſuch laſt mentioned place, who ſhall not have an eſtate of freehold in poſſeſſion of the clear yearly value of ten pounds.

lieutenant colonel or major 30l. captain 25l.

lieutenant 10l.

XXXIX. And be it further enacted by the authority aforeſaid, That the grand juries of the different counties may be impowered to grant by preſentment, to be levied on the county at large, any ſum not exceeding ten pounds *per annum* to the clerk of the commiſſioners of array.

County preſentment for clerk 10l. a year.

XL. And be it further enacted by the authority aforeſaid, That no deputy lieutenant, or commiſſioner of array, captain or lieutenant, to be appointed by virtue of this act, ſhall act under ſuch appointment, until they ſhall firſt have taken the oath of allegiance, and made, repeated, and ſubſcribed the declaration, appointed by law to be taken by perſons holding offices or employments under the crown.

Deputy lieutenant, commiſſioner, captain, or lieutenant, to qualify.

XLI. Provided alſo, That if any perſon ſhall act as a deputy lieutenant, or commiſſioner of array, captain or lieutenant, in the militia without firſt filing with the clerk of the peace of the county, wherein he ſhall ſo act, an affidavit, that he is duly qualified, as this act directs, for the office, to which he is or ſhall be appointed, every ſuch perſon ſhall forfeit the ſum of one thouſand pounds, to be recovered by any perſon who ſhall ſue for the ſame in any of his Majeſty's four courts at Dublin by bill, plaint, or information, wherein no wager of law, or more than one eſſoign, ſhall be allowed.

Acting before affidavit of qualifying filed with clerk of peace, 1000l. to proſecutor.

XLII. Provided alſo, That every perſon, appointed to the office of captain in any militia in any county in this kingdom, ſhall be intitled to a commiſſion of the peace in and for the ſaid county, paying the uſual and accuſtomed fees.

Captains in commiſſion of the peace for the county, paying fees.

XLIII. And be it further enacted by the authority aforeſaid, That if any non-commiſſion officer of the militia, or private militia man, ſhall in ſuppreſſing inſurrections, or outrageous aſſemblies, or in purſuing, apprehending, or guarding any notorious offender, in purſuance of this act, ſhall be maimed or wounded,

Non commiſſion officer or private, maimed or wounded in publick ſervice, intitled to Kilmainham with regulars,

A D. 1777-8.

wounded, he ſhall be equally intitled to the benefit of Kilmainham hoſpital with any non-commiſſioned officer or private ſoldier in his Majeſty's regular forces under the like circumſtances; and that if any non-commiſſion officer of the militia or private militia man ſhall in any of ſaid laſt ſervices be killed, leaving a widow, or a child or children under age, it ſhall and may be lawful for the grand jury of the county, wherein ſuch non-commiſſion officer or private man ſhall be ſo killed, at the next enſuing aſſizes after ſuch killing to preſent ſuch ſum or ſums of money, not exceeding twenty pounds, for the widow, child, or children of ſuch non-commiſſion officer or private man, as to ſuch grand jury ſhall appear reaſonable; which preſentment or preſentments is or are to be raiſed and levied in ſuch manner, as other preſentments are raiſed or levied; and that the child or children of the perſon killed under the age of ten years ſhall, if the grand jury ſhall ſo direct it, and the ſurviving parent or next relation of ſuch child or children ſhall ſo require it, be received and educated, cloathed, and maintained for the uſual time in the next proteſtant charter ſchool, upon producing a certificate from the treaſurer of the county, where ſuch preſentment was made, to the maſter of ſuch ſchool, that ſaid child or children is or are by the means aforeſaid intitled to the education, cloathing, and maintenance provided for orphans in the ſaid ſchool.

if killed, G. jury may preſent not above 20l. for widow or children next aſſizes,

if under 10 years, and directed by G. jury, and required by next relation, received in next charter ſchool on treaſurer's certificate.

XLIV. And be it further enacted by the authority aforeſaid, That this act, and every clauſe and proviſo therein contained, ſhall extend to all counties of cities and counties of towns within this kingdom.

Extended to counties of towns.

XLV. And be it further enacted by the authority aforeſaid, That this act ſhall continue and be in force until the twenty fourth day of June one thouſand ſeven hundred and eighty two, and to the end of the next ſeſſion of Parliament.

Continued to 24 June 1782, and to 24 June 1787 by 21 & 22 G. 3. c. 40.

CHAP. XIV.

An Act for the Relief of Inſolvent Debtors.

WHEREAS the ſeveral perſons, whoſe names are mentioned in the ſchedules hereunto annexed, have been by misfortunes rendered unable to ſatisfy the whole of their reſpective debts, and it is reaſonable to make proviſion for ſuch of them, as ſhall do their utmoſt for the ſatisfaction of their creditors; therefore be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and

A. D. 1777-8. Chap. 14.

may be lawful for all and every the perſons, whoſe names are mentioned in the ſaid ſchedules, at any times before the firſt day of May one thouſand ſeven hundred and eighty to exhibit petitions to his Majeſty's court of king's bench or common pleas in Dublin, ſetting forth the ſeveral matters directed to be ſet forth in the petitions of the perſons mentioned in a ſchedule annexed to an act paſſed in the firſt year of his preſent Majeſty, entitled, *An act for the relief of inſolvent debtors*; and the ſaid ſeveral perſons ſhall upon performing the ſeveral requiſites, in the ſaid act directed to be performed by the ſeveral perſons mentioned in the ſchedules thereunto annexed, to be intitled to the like benefit and relief, and ſubject to the like puniſhment in caſes of delivering a falſe and untrue account of their eſtate and effects, or concealing the ſame, as by the ſaid act is directed with reſpect to the ſaid ſeveral perſons, whoſe names are mentioned in the ſaid ſchedule annexed to the ſaid act; and the reſpective eſtates and effects of the perſons, whoſe names are mentioned in the ſchedules hereunto annexed, ſhall be ſubject to all and ſingular the terms and proviſions, mentioned in the ſaid act with reſpect to the eſtates and effects of the perſons, whoſe names are mentioned in the ſaid ſchedules annexed to the ſaid acts.

II. And be it enacted by the authority aforeſaid, That his Majeſty's court of king's bench and common pleas reſpectively ſhall be inveſted with all and ſingular the like powers with reſpect to the perſons, eſtates, and effects of the reſpective debtors mentioned in the ſchedules hereunto annexed, as the ſaid courts were reſpectively inveſted with by the ſaid act for the relief of perſons, whoſe names were included in the ſaid ſchedules thereunto annexed.

III. Provided always, and be it further enacted by the authority aforeſaid, That ſuch of the ſaid perſons in the ſchedules hereunto annexed, as is or are actual priſoner or priſoners in any gaol or priſon in this kingdom on any proceſs whatſoever for or by reaſon of any debts whatſoever, and which gaol or priſon is above the ſpace of twenty miles diſtant from the city of Dublin, on preferring his, her, or their petition or petitions, as it is in ſuch caſe or caſes directed, they ſhall be preferred, by the ſaid act paſſed in the firſt year of his preſent Majeſty, entitled, *An act for the relief of inſolvent debtors*, and upon performing the ſeveral requiſites in the ſaid act directed to be performed, ſhall have and be intitled to the like benefit and relief, and ſubject to the like puniſhment in caſe of delivering a falſe and untrue account of their eſtate and effects, or concealing the ſame, as by the ſaid act is directed with reſpect to the ſeveral perſons, whoſe names are mentioned in the ſaid ſchedules annexed to the ſaid act; and the eſtates and effects of ſuch perſons, whoſe names are mentioned in the ſchedules hereunto annexed, ſhall be ſubject to all and ſingular the terms and proviſions mentioned in the ſaid act with reſpect to the eſtates and effects of the perſons, whoſe names are mentioned in the ſaid ſchedules annexed to the ſaid act.

IV. And be it further enacted by the authority aforeſaid, That the judge or judges of aſſize at any aſſizes, which ſhall be holden in any county, city, town, or place after the paſſing this act, ſhall be inveſted with all and ſingular the like powers with reſpect to the perſons, eſtates, and effects of the reſpective debtors mentioned in the ſaid ſchedules hereunto annexed, as the ſaid judge or judges of aſſize were reſpectively veſted with by the ſaid act paſſed in the firſt year of his preſent Majeſty for the relief of perſons, whoſe names were included in the ſaid ſchedules thereunto annexed.

V. Provided always, That none of the perſons, whoſe names are mentioned in the ſecond ſchedule hereunto annexed, ſhall be intitled to take any benefit under this act, unleſs two thirds of the real creditors in number and value of ſuch perſons reſpectively ſhall ſign a certificate, ſignifying their conſent to the diſcharge of ſuch perſons reſpectively; the truth of which certificate muſt be proved upon oath to the ſatisfaction of the court, to which ſuch petitions are reſpectively preferred.

VI. Provided alſo, That no perſon ſhall take or have any benefit by this act, who has made any fraudulent conveyance or aſſignment of his eſtate or goods, or any

part thereof, either previous or subsequent to his failure, with an intention to defraud his creditors, or any of them, or who has done, or suffered to be done, any fraudulent act for the purpose aforesaid, and the same shall be made to appear to the satisfaction of the court, in which the petition of such debtor shall be depending, upon an examination either viva voce, or by affidavit, as such court shall direct.

VII. And provided always, That nothing herein contained shall extend or be construed to extend, to the benefit of any person, who is within the provisions of the bankruptcy law.

VIII. And provided always, That nothing herein contained shall extend or be construed to extend to the benefit of any person, who has been relieved by, and taken the benefit of, any former act of insolvency.

IX. And provided always, That no person, who as guardian, trustee, executor, or administrator is indebted to any person or persons, shall be entitled to any benefit or relief from this act.

X. Provided also, That all persons, who have conveyed, embezaled, or converted to their own use any monies, goods, wares, or merchandizes of persons, who have employed or intrusted them, shall be excluded from receiving any benefit or advantage by this act.

XI. Provided always, That nothing herein contained shall extend, or be deemed to extend, or shall in any manner be construed or taken to extend, to give benefit, ease, discharge, or relief, to any person or persons, whatsoever from any debt for rent or arrears of rent, whether by a bond, note, or other instrument in writing perfected to the landlord or landlords for the same, or otherwise, which debt became due and payable out of any lands, tenements, and hereditaments, where he, she, or they owing such rent, or arrears of rent, or any other person or persons deriving by, from, or under him, her, or them, is or are in possession of all or any such lands, tenements, or hereditaments, out of which such rent was payable.

XII. Provided always, and be it further enacted by the authority aforesaid, That all and every the prisoner or prisoners, whose name or names are inserted in the annexed schedule or schedules, and which prisoner or prisoners have been confined on any process for debt in any gaol or prison within this kingdom, and who has not or have not been committed to such gaol or prison on or before the seventeenth day of March, one thousand seven hundred and seventy eight, that then and in such case or cases such prisoner or prisoners shall not have or be entitled to the benefit of this act, unless two thirds of the creditors in number and value of such prisoner or prisoners do sign a certificate signifying their consent, that such prisoner or prisoners may have the benefit of this act; the truth of which consent, as well as that such creditor or creditors so signing are really *bona fide* the creditor or creditors of such prisoner or prisoners, shall be verified by affidavit, or in any other manner as the judge or judges of his Majesty's court of King's bench, and the judge or judges of assize, shall think proper.

XIII. Provided also, That nothing herein contained shall extend or be construed to extend, to give any relief to any tythe farmer or proctor, on account of any debt incurred by such tythe farmer or proctor, on account of the tythes he has farmed, or been proctor for; any thing contained in this act to the contrary notwithstanding.

XIV. Provided likewise, That this act shall not extend to vest the real or personal estate, which such person or persons, as shall obtain their liberty by virtue hereof, shall acquire or become entitled to, after having taken the benefit thereof, but that the same shall be liable to the debts owing by them in as full and ample a manner, as if this act had never been made.

XV. And whereas several suits at law and in equity have been commenced and carried on against John Bourke of the city of Dublin, esquire, for recovery of the estate of the said John Bourke, or a great part thereof, which drove the said John to the necessity of contracting debts, and borrowing several considerable sums of money from different persons to enable the said John to defray the expence of the said suits,

A. D. 1777-8. Chap. 14.

and defend his title to his said estate, and by a continual litigation of such suits, and the great expence occasioned thereby, the said John hath not been able to pay his said debts, and that notwithstanding almost the whole of the said Bourke's estate hath been in the hands of some of his creditors, yet many others of them have from time to time issued executions and other writs against his person; wherefore, and to avoid the miseries of a common jail, the said John for many years past hath been obliged to confine himself to his house, by reason of which he hath contracted many disorders, and his health and constitution are greatly impaired, insomuch that he cannot live any time, if not released from such his confinement, and his death would prove fatal to his creditors, he being tenant for life: And whereas Holt Waring, Philip Vigneau, John Ryan, Nicholas Mulvany, George Wildridge, Richard Bolton, Gervas Hall, Pat. Mooney, Mary Eustace, Richard Cahill, Peter Malone, Luke Heron, Henry Gonne, Thomas Fleming, Henry Clements, and James Browne, creditors of the said John Bourke, being conscious of the said John's inability to pay them their full demands, have agreed to accept of his the said John's offer of assigning over to them, or to the said Holt Waring and Richard Bolton, trustees for them and the rest of the creditors of the said John Bourke, a demand on his said John's uncle Richard Bourke's estate, and the remainder of his said uncle's estate, to which he is under his the said Richard Bourke's marriage-settlement entitled, and a bond of Robert Franklin's for five hundred pounds, and also the reversion of four hundred pounds *per annum*, now in the hands of Thomas O'Flaherty, Patrick Dease, esquires, and William Furlong, for the discharge of debts due to them respectively, in trust to pay off and discharge all the debts due by the said John to all his creditors rateably, and in proportion to their several and respective demands against him: And whereas at a meeting of a considerable number of said John Bourke's creditors on the fourteenth day of December last, it was unanimously agreed, that it would be for the benefit of said creditors, and all other the creditors of the said John Bourke, to have the said demand, the bond and contingencies aforesaid assigned and made over to them, or to their aforesaid trustees (who have consented to undertake said trust) and the assistance and personal attendance of the said John Bourke upon his creditors or said trustees being judged absolutely necessary for carrying it into execution: therefore at the humble petition of the said several creditors of the said John Bourke on behalf of themselves and the rest of the creditors of the said John Bourke, be it enacted by the authority aforesaid, That from the time the said demand of the said John on his said uncle Richard Bourke's estate, and the remainder of his said uncle's estate, to which he is entitled as aforesaid, and the said bond of the said Robert Franklin for five hundred pounds, and also the reversion of said four hundred pounds *per annum*, shall be assigned to the said Holt Waring and Richard Bolton, as trustees as aforesaid, and for the purposes aforesaid, the person of the said John Bourke shall from thenceforth be freed, acquitted, and discharged of and from all arrests, at the suit of any creditor or creditors of the said John Bourke for any sum or sums of money, which is or are now due and owing by him; and that if the said John Bourke shall be arrested for or on account of any such debt or debts, the said John Bourke shall from such arrest or arrests be forthwith freed, released, and discharged.

FIRST

FIRST SCHEDULE.

FIRST PART.

Prisoners against whom no Petition has been preferred.

Antrim. County Gaol.

James Scott
Whitefide Woods
William Hood
Bernard Neiffon
James Crawford
Charles Gilmore
Edward McLaughlin
John Strean
William Woods
John Shean
John Grier
Henry Glafs
John French
Hill Gilmore
John Powel Cuney.

Armagh. County Gaol.

Thomas Ball
Thomas Byarfin
James McIlwain
John Kennedy
Bryan McBennet
Phelemy Hagan
William Dougan
James Leonard
Samuel Blackley
Owen Trodden.

Carlow. County Gaol.

James Maugher
James Carty.

Cavan. County Gaol.

Timothy Kelly
Terence Dolan
Joſeph Brady
Michael Glancy
Alexander Dawley
John Brady
John Bultiel
Charles Maguire.

Clare County. Gaol of Ennis.

Daniel McDonogh
Joſeph Conſidin
Thomas Shannon
Terence McMahon
John Hickey
Lott Egan.

Cork. County Gaol.

Timothy McCarty
William Anſtis
Emanuel Harriſon
Timothy Donovan
John Skuſe
Timothy McCarthy
Timothy Leane
George Smyth
Edmond Singles
Nicholas Bellew
John Norcott
Timothy Leary
John Bennitt
Peter Clancy
Denis Long
John Leary
Patrick Carthy
Daniel Shingles
Darby Hurley
James Lombard.

Cork. City Gaol.

David Gleeſon
John Burton
Florance McCarthy
Edmund Burke
John Keeffe
John Corkery
Cornelius Connor
James Ferris
Denis Mahony
John Dwyer
Timothy Leſoile
Charles Mahony
John Penward
Catherine Wholehane
Denis Carroll
Bartholomew Nevill
Daniel Brenon
John Dale
Alexander Goodin
Michael Nagle
James Henneſſy
Mathew Dempſey
Timothy McCarthy
John Kinealy
Patrick Phœnix
Timothy McCarthy
Timothy Enrought
David Murphy
John Cartin
Cornelius Kelcher
John Harnett
James Mahony
Richard Montgomery
Michael Denaghy
James Short
James Winſtanley
Darby Spillane
John Kinafake
James OBryan
Thomas Donald
John Barron
Edward Norman
Denis Dennahy
Darby Mahony
William Fowlue
Thomas Reynolds
James Paterſon
Thomas Quill
John Duggan
Thomas Cummings
John Kennaſſy
John Evans
David Moylan
Thomas Cullinane
John Galway
William Kelly
Richard Coleman
Thady Crowley
Daniel Gorwan
William Staterford
Timothy Callaghan
Mathew Coleman
Patrick Coakley
Thomas Vippond
Suſana Goodwin
Laurence Fowlue
Thomas Aherin
John Carthey
Darby Finn
Edward Barry
William Cane
Paul Webber
John Gleeſon
Thomas Finn
Daniel Finn
Darby Daw
Daniel Storey
Bartholomew Murphy
Joſeph Collins
Denis Driſcoll
Catherine Horrigan
Thomas Lawder
Timothy Sullivan
Andrew Sharp
Patrick Linahan
Catherine Cronohan.

Donegall County. Gaol of Lifford.

David Bane
James Black
Philip McHugh
William Brown
Moſes Lawther
Henry Black
Robert Gilky
Philip Gettans
John O'Donnell
Daniel McBreſan
George Cobourne
Thomas Galagher
Robert Smyth
Patrick McGill.

Down County. Gaol of Downpatrick.

Arthur Hughs	Thomas Chambers
James Emerſon	Robert Gaff
Samuel McMullan	Arthur Waterſon
Rev. Robert Smyth	Thomas Parkinſon.

Gaol of Coleraine.

Andrew Fergusſon	John McCook
Alexander McIntire	Alexander Wier
Mrs. Cameron, widow	John Hughes
Joſeph Cathcart	Elizabeth Campbell
James Barry	James Houſton.
Adam Brouſter	

Drogheda Gaol.

John Fleming	Thomas Grehan
John Elliot	Pat. Woods
Peter Tiernan	Roger Fox
James Killpatrick	Laurence Fallon
Thomas Croſby	John North
Patrick Fluddy	John Whearty
Matthew Gartloney	William Molloy
Thomas Maguire	Michael Garry
James Killpatrick	John Devine.

Dublin County. Gaol of Kilmainham.

Edward Balfe	James Lewes
John Keney	John Sinnott
Denis Bryan	James Mannahon
Dame Mary Blake, commonly	John Fynn
called Lady Blake	Dennis Kelly
William Morgan	John Hyland
Edward Plant	John Kenny
John McNeill	James Kelly
Denis Bryan	John Pointon
Michael Flinn	Hugh O'Neill
Michael Clinton	John Timmons.

Gaols of Newgate, and the Black Dog.

Robert Bellis	John Fowes
Chriſtopher Reilly	Silveſter Farrell
James Gilford	Margaret Brien
James Smyth	John Walker.

Thomas-Court and Donore Marſhalſea.

Richard Allen	John Kelly
John Macklewaine	Mathew Rochfort
James Dempſey	Mary Hendrick
James Murphy	Ambroſe Davis
James Hobbs	Margaret Walſh
John Halfpenny	Thomas Harris.
Thomas Doyle	

Marſhalſea of St. Sepulchre's.

John Buckhart
Elinor Walton
Robert White
William Armſtrong
Denis Mara
John White
Peter Mulally.

Dublin City Marſhalſea.

Richard Heffernan
Patrick Greene
Robert Dowdal
Alexander Saunders
Jeremiah Neale
Denis Field
John Ellis
Barnaby McCann
Patrick Gorman
Michael Smyth
Lewis Parker
Joſeph Corry
John Smith
Thomas Pritchard
Michael Balf
Kilner Evat
William Moore
Symon Byrne
Barnaby Mathews
Nicholas Ball
Oliver Nethercoat
John Kane
Patt Kappagh
Thomas Judge
William Cumberland Shee
George Smyth
Walter Lawleſs
Auſtin Ince
Gerard Macklin
John Maddin
Joſeph Ferguſon
John Whitehouſe
Robert Savage
George Doughtery
John Connell
Iſaac McCoy
Mary Strahorne
Anne Fleming
Francis Fenn
Thomas Burnet
Daniel Stephens
Thomas Healy
John Simpſon
John Keating
Patt Quin
Thomas Jackſon
John Devatt
John O'Bryan
John Dallaway
John Fowlue
William McGarry
Edward Savage
John McCormuck
Benjamin Rainsford
William McWalter, *alias* Bermingham
Catherine Williams
Mary Cockrell
Catherine Delany
Margaret Eaves.

In the Cuſtody of the High Sheriff.

Chriſtopher Reilly
James Gilford
James Smyth
John Tower
Margaret Brien
Silveſter Farrell
John Donelly
Andrew Ryan, *Certificate*
Pierce Farrell, *Certificate*
Joſeph Moreton
William Ralph
Charles Dillon
Henry King
William Reed
Nathaniel Calder
James Ellis
John Doyle.

Dublin City. Marſhalſea of the Four-Courts.

Charles Burnſide
Matthew Braycon
John Briſcoe
John Beath
Benjamin Carroll
Gerald Cavanagh
Elinor Carroll
Edward Cavenagh

Dublin City.

John Branagan
John Crawford
Chriſtopher Carroll
Chriſtopher Dalton
Thomas Dermott
Neal Doherty
Mathew Dwyer
William Davis
Philip Downey
William Fuller
Lawrence Farall
George Fleming
Robert Goggin
Edward Gallaher
Andrew Green
Philip Hartington
Frederick Chriſtian Hammer
Denis Houlahan
John Houlahan
Sarah Hanlon
Daniel Hernon
Patrick Hughes
John Hill
Peter Huncheon
William Irvine
Richard Jacob
Hannah James
Patrick Mahon
John Matchett
Edward Maguire
Hugh McManus
John Maurice
James Maſſey Molony
Joſeph Murphy
Thomas Maſſey
Patrick McGuirk
Hugh Conway
John Dodds
Daniel Delany
Owen Daley
Bartholomew Dowdall
Philip Dolan
Martin Walſh
Laurence White
John Wiggham
James Fleming
John Finn
Thomas Haligan
James Hyland
William Hughes
Michael Higgans
Richard Robinſon
Patrick Tighe

Marſhalſea of the Four Courts.

John Collins
William Moore
Owen McLaughlin
Elizabeth Nowlan
David Oliver
Michael O'Hara
George Philips
Ann Pritchard
John Reily
John Roach
John Scanlon
Robert Stephens
John Smyth
Thomas Tuckey
James Tommins
Thomas Whitehouſe
Joſhua Whitehouſe
Thomas White
Thomas Williams
William Waller
Hugh Woods
William Wolferſton
John White
Michael Young
Morgan McDonagh
John Leary
Patrick Fitz Patrick
Richard Bourke
Henry Baſſet
Nicholas Boyland
Samuel Bleakly
Owen Branouge
James Bran
Daniel Connor
Hugh Cartin
Bartholomew Connell
Dennis Kelly
John Lennon
Richard McHugh
Redmond McHugh
William McCarthy
James Monagha
Andrew Trayoe
James Mahown
Patrick McDermott
Mathew O'Brien
William Oughterſon
Godfrey Peart
Eaſter Pallace
John Reily
Philip Ryan
William Ramſay
Patrick Raferty.

A. D. 1777-8. Chap. 14.

Fermanagh County. Gaol of Enniskillen.

John Kemaghan
Robert Whitten
John McWallin
James Crumlis
Edward McCuser
William Elliot
James Veech.

Galway. County Gaol.

Patrick Ward.

Galway. Town Gaol.

Mathias Martin
Thomas Burke
Miles McDonagh
Thomas Grubb
John Hudson
Richard Daly.

Kerry County. Gaol of Tralee.

Owen McCarthy
John Breen
Denis Callaghan
Thomas Leyne
Francis Pierse
Timothy Spillane
John McCarthy.

Kilkenny. County Gaol.

Philip Casey
Michael Brenan
Roger Purcell
John Comerford.

Kilkenny. City Gaol.

Denis Delany
Mathew Murphy
Catherine Dowling
William Wall.

Kildare County. Gaol of Naas.

John Tracy.

King's County. Gaol of Philipstown.

Samuel Watson
Bryan Dunn.

Leitrim County. Gaol of Carrick.

James Mahoin.

Limerick County Gaol.

Patrick Nash
John Shaugnessy
Anthony Martin.

Limerick. City Gaol.

Lott Gearan
James Bryon
Michael O'Brien
John Warren
Alley McEneary
John Bourke
John Heher
Nicholas Poor
William Davis
John Haffena
James Dea
Roger McCann
John Mungavan
Michael Mara
Patrick Clancy
Cornelius Kean
Henry Lacy
Garret Stack
Denis Murphy
Thomas Kean
James Barry
Timothy Callinane
Malachy Minchan
Daniel Slatery.

Londonderry. County and City Gaol.

Thomas O'Coll
Henry O'Kane
James McLaughlin
Owen McDevatt
John Creige
John Reyly
James and Duncan Campbell
John Spear
Cornelius McClaman
William Patten
Daniel Davillan
Daniel Baldrige
Michael Barr
Daniel McMonegall
John Witherow
James Walker.

County of Longford Gaol.

William Watson
Francis Bonynge
James Kilbridge
George McCreery.

Louth County. Marshalsea of Dundalk.

James Read
Robert Curtis
Nicholas Murtagh
Thomas Lamb
Barney Maguire
Patrick Boyle
Patrick Callan
John Belk.

Mayo County. Gaol of Castlebar.

John Naylor
Thady Murphy
James Fitzmaurice
James Prendergast
Charles Bourke
Thomas Cloyne
Michael Needham
William Fitzmaurice.

Meath County. Gaol of Trim.

Mathew Holton
John Flinn
Thomas Fesy
James Fannan
Patrick Mooney
Robert Flaerty.

Monaghan County Gaol.

Richard Philips
Toale Clarke
Patrick Murray
Patrick McMahon
Felix Hanlan
Arthur Monaghan
Patt Lennon
Ann McGeough
Maurice Ward.

Queen's County. Gaol of Maryborough.

Mary Bergin
Margaret Mc Abboy or Bergin
Malachy or Loughlin Keegan
William Delany
Fanton Delany
William Cantrel
Honor Boe
Henry Nugent.

Rofecommon Gaol.

Thomas Hanly.

Sligo. County Gaol.

Patrick McCabe
Thomas Slator
Hugh McDermotroe.

Tipperary County. Gaol of Clonmell.

Pierce Shea
John Grinfill
John Quinlan
Charles Lanigan
Edward McEniry
Thomas Williams.

	Tyrone County.	Gaol of Omagh.
Thomas Anderton		James Brown
James Rodgers		Bernard Fitz-Summons otherwise
Josias Armstrong		Burns
William Graham		William Davison
William McKinsey		John Gormly
William Galloway		William Walker
Francis Mongan		William Carey
Robert Caldwell		Bryan O'Neill
Morgan Mongan		Daniel Rodgers
Nocher Bradley		James Bratten
William Ferguson		John Andrews
Robert Walker		Patrick Murphy
Richard Garland		John Rodgon.
	Marshalsea of Strabane.	
James Hood		James Graham
Mark Freel		Patrick O'Donnel
Francis Tate		John Kinkead.
	Waterford. City Gaol.	
Thomas Courtney		Philip Kennedy
John Bradley		James Dugay
Paul Ferrall		Thomas Magrath
Michael Bryan		William Hassett.
James Aylward		
	Wexford. County Gaol.	
Francis Lacey		Henry Bassett.
Thomas Connor		
	Wicklow. County Gaol.	
John Clarke		Thomas Kelly.
	Westmeath County. Mullingar Gaol.	
Rachel Nolan		Andrew Dalton.

FIRST SCHEDULE.

SECOND PART.

Petitioners against whom no Petitions has been preferred.

Thomas Anderton of Grange in the county of Tyrone, dealer.
Nicholas Andrews of Vicar-street, Dublin, linen weaver.
Henry Allman, late of Kingsale, tythe farmer and dealer.
John Acheson formerly of the city of Dublin, silk mercer.
Thomas Brewer.
Martin Byrn of John-street, Dublin, worsted weaver.
Thomas Bermingham of Usher-street, Dublin, distiller.
Thomas Burke of the town of Galway, wheelwright.
Christopher Boyle of Woolpark, near Naas in the county of Kildare, farmer,
Thomas Bole, late of Machla, in the county of Cavan, yarn merchant.
Thomas Burnet of the city of Dublin, distiller.

James

James Byrne, late of Dame-ſtreet, Dublin, grocer.
James Brown, late of the city of Dublin, vintner.
John Brophy of High-ſtreet, Dublin, ſhoemaker.
Thomas Bethel of the city of Dublin, cabinet maker.
William Bentley, late of the earl of Meath's liberty, ſheerman.
Catherine Bourke of the city of Dublin, grocer.
Charles Bredberg of the city of Dublin, hooker.
Edmond Burke of the city of Limerick, innholder.
Andrew Bailie of Donaghenry in the county of Tyrone, eſquire.
Loftus Bernard of the city of Dublin, gentleman.
John Baldwin of the city of Cork, merchant and dealer.
Thomas Bradley of James's-ſtreet, Dublin, thread maker.
John Bourke of Lacky in the county of Kildare, cabinet maker.
Edward Balfe of White's-lane in the county of Dublin, farmer.
Thomas Brady, late of Stradane in the county of Cavan, dealer and chapman.
Thomas Boulger.
Michael Brannan, late of the town of Drogheda, linen weaver.
Thomas Boyd of Ballymony in the county of Antrim, victualler and dealer.
Chriſtopher Boſhell, late of Cole-alley, Meath-ſtreet, ſheerman.
David Brenan, late of Newtownbaker in the county of Kilkenny, farmer, a fugitive.
David Beyendorff, late of Queen-ſtreet, Dublin, watch-caſe-maker.
Robert Brown of Thomas-ſtreet, Dublin, grocer.
Julio Barry, late of the city of Dublin, merchant.
Neptune Blood formerly of Ennis in the county of Clare, ſoap boiler, tallow chandler and diſtiller.
Patrick Brogan of the town of Cavan, dealer.
Patrick Buchanon, late of Knockagarran in the county of Donegal, farmer.
John Connor, upholder.
Daniel Creadon, Peter Creadon, late of Macrome in the county of Limerick, labourers.
Laurence Corry of Bolton-ſtreet, Dublin, baker.
William Carroll, late of Shanra in the county of Monaghan, diſtiller.
James Coſgriff of Bridwell-lane, Dublin, cabinet-maker.
Philip Clerk of Killineer, in the city and town of Drogheda, linen weaver and farmer.
Mathew Cremene, late of the city of Cork, farmer.
James Caroll of Dion county Tyrone, publican.
Mark Clare of Clarendon-market, tallow chandler.
John Carbry of the city of Dublin, hair cutler.
Robert Clancy, cordwainer.
Barnaby Crinion of the city of Dublin, taylor.
Kennedy Callaghan of Cork, weaver.
George Connoly of Cutpurſe-row, Dublin, ſhoe maker.
Joſhua Cannon, late of Eaſt Arran-ſtreet, ſhoe maker.
Bridget Cuttle, widow, late of Banagher in the King's county.
Michael Connor of Thomas-ſtreet, Dublin, grocer.
Patrick Carrol of the town of Cavan, butcher.
Bernard Carron, late of Lungs in the county of Tyrone.
Charles Carron, late of Lungs in the county of Tyrone.
William Coſgrave, lately in the ſtation of a ſervant.
Chriſtopher Clarke of Laughlinſtown in the county of Dublin, vintner.
Richard Carrol, late of the city of Dublin, dealer.
Mary Collins, widow, late of Cornamaddy in the county of Weſtmeath.
Richard Cullen, late of the county of Clare, woollen dyer.
John Croſbie, late of the city of Dublin, brewer.

John Carroll of Shanra in the county of Monaghan, farmer.
Edward Carolan of Ballytresa, in the county of Monaghan, distiller.
Anastatia Collin, late of the city of Dublin, gentlewoman.
Samuel Clarke, late of Dungannon in the county of Tyrone, linen weaver.
Thomas Costello of the city of Dublin, grocer.
John Cunningham of the city of Dublin, house carpenter.
John Connellan, late of the city of Corke, woollen draper, but now of Cloghas, in the county of Tipperary.
Mary Commons on behalf of her husband John Commons, late of the Little-green, publican and taylor.
Dennis Carey, linen weaver.
James Dempsey of Clanequin in King's county, farmer.
Mary Doyle of the town of Youghall in the county Corke.
Thomas Daly of Patrick-street, Dublin, butcher.
Peter Delahoyd formerly of the town of Drogheda, distiller.
William Darley, late of Pill-lane, Dublin, grocer.
James Dungan of Sinchalstown, county Meath, publican.
William Dunlap near Clonish, county Monaghan, weaver.
Thomas Dodd of New Church-street, Dublin, cabinet maker.
John Draycott of the city of Dublin.
Patrick Dayly of the city of Dublin, cordwainer.
Philip Dolan of Abbey-street, Dublin, carpenter.
John Davys of Ballyshannon, clothier.
Thomas Daly of Strangford, county Down, gentleman.
Edward Delany of Grange in Queen's county, farmer.
James Delap of the city of Dublin, dealer.
John Devereux of the city of Dublin, formerly a grocer.
William Devereux of the city of Dublin, formerly a grocer.
Philip Dolan of the city of Dublin, taylor.
Dennis Delany, formerly of the city of Kilkenny, dealer.
Robert Davison, late of the county of Down, chapman.
Simon Drew of the county of Carlow.
Laurence Daly of the city of Dublin, baker.
Michael Daly of the city of Dublin, publican and factor.
John Donnell of Mainstreet in the city of Cashel, shopkeeper.
Patrick Dalton of Patrick-street, Dublin, grocer and dealer.
Timothy Ennis of Bull-alley, Dublin, publican.
Christopher Egan, late of the city of Dublin, dealer.
Thomas Fitzgerald, late of the city of Cork, merchant.
William Fitzpatrick, weaver.
Thomas Farrell of the county of Kildare, labourer.
John Fleming of the city of Cork, tobacconist.
Patrick Finigan, late of Black-pits, tanner.
Mathew Forrestal, late of Thomas-street, Dublin, yeoman.
John Flanagan of the city of Dublin, breeches-maker.
William Fitzpatrick, formerly of New-bridge, near the Curragh of Kildare, innholder.
John Fitzsimons of the city of Dublin, yeoman.
Robert Farrell of New-street, silk weaver.
Thomas Fox, formerly of George's-quay, Dublin, grocer.
John Fallon, late of the Gravel-walk in the city of Dublin, hunter and weaver.
James Finn of the city of Dublin, cabinet maker.
Jeremiah Fowler, late of the city of Cork, butter buyer.
John Ferrall, formerly of Melanfoot in the county of Meath, farmer.
James Fagan of Thomas-street, Dublin, brogue maker.
Owen Fox of Lattiloo in the county of Cavan, carman.

Thomas Fitzgerald of Macrompe, in the county of Cork, beer-feller.
John Ferguſon, late of Caſtle-market, grocer.
James Floyde of Kilmainham.
Elizabeth Forſyth, dealer, on behalf of her huſband.
James Forbes of Antrim, taylor.
John Fox of the city of Dublin, bricklayer and plaiſterer.
Patrick Floody, labourer.
Francis Gordon, late of Granard, in the county of Longford, publican.
Michael Grant of Townſend-ſtreet, Dublin, weaver.
John Gordon of the city of Dublin, diſtiller.
John Giles, formerly of Chequer-lane, Dublin, but now of the county of Cork, dealer.
Edward Grevell of the city of Dublin, weaver.
Bartholomew Gormly of the city of Dubiin, preſſer.
William Grant of the county of Down, farmer.
Henry Gilleſpy of the city of Dublin, penſioner.
Owen Gallaglay of Mullaghban, county Monaghan, farmer.
Thomas Greene, late of Loftus-lane, Dublin, writing-clerk.
Patrick Gollougher, late of James's-ſtreet, Dublin, ſhoe-maker.
Thomas George, formerly of Saintfield, in the county of Down, carrier and dealer.
George Glanville of the city of Cork, linen weaver.
Alexander Gilmore of Dorſet-ſtreet, Dublin, thread-maker.
Patrick Gorman of Kevan's-port, Dublin, publican.
William Heffer, late of the city of Cork, cooper.
Nicholas Harford of the city of Dublin, grocer.
Thomas Hanly of Roſcommon.
James Harman, late of the city of Dublin, carrier.
Joſeph Hamerſley, late of the county of Monaghan, but now of the city of Dublin, writing-clerk.
Charles Hoare of Eſſex-ſtreet, Dublin, publican.
Patrick Hoey of the city of Dublin, flax-dreſſer.
John Healy, late of the county of Kerry, yeoman.
Arthur Hill of the city of Dublin, butcher.
Thomas Hopkins of the county of Armagh, yeoman.
James Harrington, late of the city of Dublin, dealer.
John Harnet of the city of Cork, ale-feller.
John Horrogan of the city of Cork, weaver.
James Hartington, late of Tatnafinch, county Fermanagh, linen-draper and dealer.
William Hutchinſon the elder, William Hutchinſon the younger of the city of Cork, carpet manufacturers.
Timothy Halagan, late of Mallow, county of Cork, publican.
John Henry of the city of Dublin, clock-maker.
James Hayes, late of the city of Cork, ſtator and plaiſterer.
Owen Huſſey of the town of Carlow, formerly a grocer.
John Ingleton of Arklow in the county of Wicklow, cordwainer.
Thomas Ireland, late of the town of Cavan, and now of the city of London, pewterer.
Andrew Irwin, late of Thomas-ſtreet, Dublin, tobacconiſt.
Samuel Johns, late of the city of Limerick, ſilverſmith.
Rawleigh James of the city of Limerick, tallow-chandler.
Henry Jacobs of the city of Dublin, pencil-maker.
Wood Gibſon Jones, late of the city of Dublin, printer.
Patrick Kane of the earl of Meath's liberty, weaver.
Stephen Keating, formerly of Back-lane, but now of Nicholas-ſtreet, Dublin, heel-cutter.

A. D. 1777-8. Chap. 14.

James King of Sweeny's-lane, Dublin, linen weaver.
John Kyle of Balyna, dealer.
William Kelly, late of Patrick-ſtreet, Dublin, victualler.
Barney Kelly, formerly of Smithfield, Dublin, horſe breaker.
William Kelly, late of Ballinaſloe, in the county of Galway, farmer.
John Kenny of Crane-lane, Dublin, ſhoe-maker.
William Kelly, late of the city of Cork, taylor.
Denis Kelly of Killevagy in the county of Galway, farmer.
Samuel King of Bride's-alley, Dublin, cabinet-maker.
Thomas Kean, late of the city of Dublin, publican.
Chriſtopher Kelly of Thomas-ſtreet, box-maker.
Daniel Keliher, late of the city of Cork, ſlater and plaiſterer.
Thomas Keary of the city of Dublin, publican.
Darby Line, late of Lehenagh in the liberties of Cork, farmer.
Charles Loughlin, late of the city of Dublin, butcher.
Luke Lennon, formerly of Newry, merchant.
Garret Larkin of Carter's-lane, Dublin, linen-weaver.
George Lodge, one of the attornies of the exchequer.
John Little of the county of Tyrone, weaver.
James Lynch of the city of Dublin, dealer.
John Lacy, formerly of the city of Dublin, cordwainer.
John Langan of the city of Dublin, victualler.
James Lattimoor of Cloſagh in the county of Monaghan, linen weaver.
James Lowry of Clonconry in the county of Roſcommon, yeoman.
Patrick Leonard of Clonconry in the county of Roſcommon, yeoman.
Michael Lawler, late of the city of Cork, linen weaver.
Andrew Molony of Garriduffe in the county of Weſtmeath.
Patrick Murray, late of the county of Roſcommon, dealer.
William Morgan of Back-lane, Dublin, linen-draper.
John Murphy, formerly of Joneſborough in Ireland, but now of Liverpoole in England, merchant.
John Murray of Anagh in the county of Tyrone, weaver.
David Miller of Tighe-ſtreet, Dublin, linen weaver.
Thomas Mitchell of the city of Dublin, peruke maker.
Daniel Magennis, farmer.
James Mallon, late of the town of Armagh, brogue-maker.
James Mulhall of the city of Dublin, publican.
Conſtantine Magennis of the city of Dublin.
Thomas Marſhall of Meath-ſtreet, Dublin, linen weaver.
James Murray of the county of Dublin, dealer.
Richard Mault of the city of Dublin, calendar.
John Memnagh of the city of Dublin, dealer in earthen ware.
Francis Molloy, late of John-ſtreet, Dublin, ſheerman.
John Montgomery of the city of Dublin, cabinet-maker.
William Malley of the city of Dublin, ſtay-maker.
John Moran, late of Swords, in the county of Dublin, pump-maker.
John Morell of the city of Dublin, carpenter.
Robert Morrow of Saintfield in the county of Down, glazier.
John Minnagh, late of the city of Dublin, dealer.
Edward Malone of Raw in the county of Monaghan, carman.
William Martin of Plunket-ſtreet, Dublin, weaver.
John Madden, late of Goley-Spur in the city of Cork, buckle-maker,
Nicholas Murray of Luſk in the county of Dublin, gardener.
Thomas Mackerneſs of McCracken's-alley, Dublin, ſhoe-maker.
James McKeon of the city of Dublin, ſilver-ſmith.

James

James McMahon, late of Strand-ſtreet, Dublin, taylor.
Daniel McNeal of Rainsford-ſtreet, Dublin, weaver.
Roger McAvoy of Graige in the Queen's county, farmer.
Alexander McDonnell in the city of Dublin, linen weaver.
Joſeph McCarthy of Pimblico, Dublin, tallow chandler.
Redmond McManus of Swadling-bar in the county of Cavan, merchant.
Conſtantine McCarron of Eſker in the county of Monaghan, dealer.
Alexander McGregor of Gravel-walk, Dublin, taylor.
Daniel McAntaggart of Tylebryan in the county of Tyrone, butcher.
Patrick McCarthy, now a fugitive for debt.
Laughlin McManus, farmer.
Daniel McManus, dealer.
Daniel McRobin, late of Cook-ſtreet, Dublin, publican.
Mathew McBride of the county of Dublin, labourer.
John McCabe, late of Ballybough-bridge, in the county of Dublin, ale-draper.
Edward McLoughlin, formerly of Britain-ſtreet, Dublin, publican.
Richard McCombe of Stewarts-town in the county of Tyrone, pariſh clerk.
Suſanna McClane, wife of James McLane, late of Galey in the county of Roſcommon, on behalf of her ſaid huſband.
Bryan McCabe, late of the city of Dublin, dealer.
Hugh McDaniel of Greek-ſtreet, late a grocer.
Robert McAleſter, formerly of Lazor's-hill, Dublin, linen weaver.
Miles McCabe of the city of Dublin, a grocer, and lately a clerk.
James McCiltrick of Gray-Abbey, in the county of Down, farmer and dealer.
Thomas McLaughlin of the city of Dublin, gentleman.
Thomas McCutcheon of Anny in the county of Monaghan, labourer.
Dennis McGuinneſs of Glaſough in the county of Monaghan, labourer.
Denis McDonald of Carideveliſk, in the county of Monaghan.
John McGough of Lea in the county of Monaghan, dealer.
Calaghan McCarthy of the city of Cork, gentleman.
James McGeough of Ballytrane in the county of Monaghan, diſtiller.
Dennis McCraith, late of Kilworth in the county of Cork, ſhop-keeper and farmer.
Felix McDonald, ſenior, Felix McDonald, junior of Clontreat in the county of Monaghan, farmers and dealers.
William Marra, formerly of Cork, ſlater and plaiſterer.
Patrick Murray of Strand-ſtreet, Dublin, publican.
John Murphy, late of Hollybrook, county Dublin, publican.
John Murphy late of the city of Cork, linen weaver.
William Mangin of Kilkenny, carman.
Michael North late of the city of Dublin, ſtationer.
Henry Neale of the county of Tyrone, baker.
Richard Netterville of the city of Dublin, ſugar baker.
Andrew Nouge, late of Thomas-ſtreet, Dublin, card-maker and grocer.
George Noonan of Bolton-ſtreet, Dublin, ſadler.
Thomas Naghton of Athlone county Roſcommon, yeoman.
John Neſbitt, late of Ballybea county of Monaghan, diſtiller.
Thomas O'Connor, late of Iſland-bridge, vintner.
Edmund O'Hara of Liſrenny in the county of Louth, yeoman.
Thomas O'Brien of the city of Dublin.
Sarah O'Neill, otherwiſe Magennis, widow.
Simon O'Brien of Donnycarny in the county of Dublin, dealer.
Conn O'Neill of Baronſtown in the county of Louth, dealer.
John O'Malley, late of Caſtlebar, merchant.
Thomas O'Brien of the city of Dublin, dealer.
Anthony Plant of the county of Kildare, dealer.

A. D. 1777-8. Chap. 14.

James Plunkett of the city of Dublin, cotton manufacturer.
Jeffry Prendergaſt of the city of Dublin, girt webb-weaver.
John Pepper of Ballymagarick, in the county of Down, black ſmith and horſe dealer.
Garret Piggott of the city of Dublin, weaver.
Robert Power, late of Francis-ſtreet, grocer.
William Preſely, formerly of Belfaſt, and now of the city of Dublin, carrier and dealer.
John Quinn of the city of Dublin, formerly a grocer.
Patrick Quinn, formerly of Loughbrickland in the county of Down, dealer.
Nicholas Read, late of the city of Dublin, diſtiller.
John Roe of the city of Dublin, ribond weaver.
Thomas Ridley, ſilk weaver.
Jerry Rury of the city of Cork, butter-buyer.
James Rogers of Dromerone in the county of Tyrone, weaver.
William Rogers, late of Dirty-lane, Thomas-ſtreet, grocer.
Richard Roſcow of the city of Dublin, dealer.
Philip Reilly of the city of Dublin, taylor.
John Robertſon of the city of Dublin, taylor.
John Richardſon, the elder, of Glaſnevin in the county of Dublin, ſervant.
John Richardſon, the younger, of Glaſnevin in the county of Dublin, lapidary.
Philip Reilly, late of Knockbridge, in the county of Cavan, dealer in cattle.
Edward Reilly of Kappy in the county of Cavan, labourer.
Gilbert Reilly of the city of Dublin, grocer.
Michael Roth, late of Francis-ſtreet, Dublin, grocer.
Peter Rourke of Eſſex-ſtreet, in the city of Dublin, yeoman.
Edward Rourke, late of the city of Cork, linen-weaver.
Michael Ryan, late of the city of Dublin, flax-dreſſer.
Andrew Reed of the city of Dublin, chairman.
Richard Stacy of the city of Dublin, joiner.
John Smyth of Aughaſaverty near Caſtleſhane in the county of Monaghan, farmer.
James Straiton of the city of Dublin, porter.
Nicholas Smyth of the city of Dublin, grocer.
John Shekleton of the city of Dublin, ſilverſmith.
Peter Smith, worſted weaver.
Agnes Searight, widow, William Searight her ſon, of Newry in the county of Down, co-partners.
Thomas Stretch of the city of Dublin, clerk.
Mathew Stritch of the city of Dublin, upholder.
John Sharkatt, peruke-maker.
James Sheridan, late of Carrickmacroſs in the county of Monaghan, diſtiller.
James Sarsfield of the city of Dublin, waiter.
Thomas Sheridan, formerly of Melanfoot in the county of Meath, farmer.
James Shyne, late of Mallow in the county of Cork, innholder.
Patrick Shaughneſſy of Loughrea in the county of Galway, dealer and merchant.
Laurence Stafford, late of Maynooth, yeoman.
Rebecca Smith, otherwiſe Philips, of Wood-ſtreet in the city of Dublin, milliner.
Edward Smith of Robert-ſtreet, Dublin, weaver.
William Shaw of the city of Dublin, weaver.
Patrick Savage of the city of Cork, cooper.
William Sargent, late of Barrack-ſtreet, publican.
John Sullivan, formerly of the city of Cork, dealer.

Alexander Smith of Clondermot in the county of Londonderry.
Michael Sullivan, late of the city of Cork, carpenter and publican.
William Taaffe, late of Donnelſtown.
Richard Thunder, late of Pill-lane, Dublin, ſilk-weaver.
James Thaker of Stuarts-town.
William Tongue of the city of Dublin, victualler.
John Tobin of Pool-ſtreet, weaver.
Henry Threſham, late of Stephen's-ſtreet, Dublin, carpenter.
Reynard Vento of the city of Dublin, publican.
Denis Whelan of Watling-ſtreet, ſkinner.
Laurence White of Clontarf in the county of Dublin, bricklayer.
Henry White of Clonmell in the county of Tipperary, merchant.
John Wilſon, late of Ormond-market, Dublin, butcher.
John Williams, late of Dame-ſtreet, Dublin, carver.
John Whearty of the county of the town of Drogheda, brogue-maker.
Patrick White of Fleet-ſtreet, Dublin, carpenter.
John Weſt of the city of Cork, wool-card-maker.
Peter Williams, late of the city of Dublin, ſtay-maker.
James White, late of Dublin, ſtone-cutter.
Samuel Wilſon of Carbrack in the county of Monaghan, farmer.
Laurence Williams, late of the city of Kilkenny, ſhopkeeper, a fugitive for debt.
James Wright of the city of Dublin, weaver.
John Wilſon of the town of Ballytrean in the county of Monaghan, linen-weaver.
Peter Walſh of the city of Dublin, publican.
Michael Walſh, late of Ballymartin, in the county of Kilkenny, farmer, but now of the city of Dublin.
John Wren of the city of Dublin.

Petition of certain Perſons in the Gaol of Cork.

John Bryan
Denis Dorgan
John McCarthy
Patrick Savage
Francis Barry
Mathias Dempſey
Timothy Henerty
William Keene
Tim. Sinnott
William Tivey
Thomas Williams.

Petitioners from the Four Courts Marſhalſea.

Bryan Gorrihan.
Bryan Reily, formerly of Finea in the county of Cavan, dealer and chapman.
Michael Kelly, late of Stafford-ſtreet, Dublin, vintner.
Timothy Connell, taylor.
Patrick McIlmury.

Petitioners from the City Marſhalſea.

Thomas Gorman of Gravel-walk, labourer.
Roger McDaniel, late of Bridge-ſtreet, labourer.
Ferdinand Gallagher, late of Saraw-market, Smithfield, labourer.
Peter Carty, carman, petitioner from the Liberty marſhalſea.

SECOND SCEDULE.

PART FIRST.

Petitioners petitioned againſt.

Cork Gaol.
John Donnellan — Henry Caſey.

Cork City Gaol.
John Cartin — Paul Webber.
Daniel Connor eſquire

Tyrone Gaol.
John Alexander.

Lifford Gaol.
Hugh Crumliſk.

Lowth Gaol.
William Thornton.

Downpatrick Gaol.
Edward Doran.

Londonderry Gaol.
John Moorhead.

Drogheda Gaol.
Patrick Tiernan.

Kilmainham Gaol.
Reverend James McMahon — James Connelly.
James Kelly

Four-Court Marſhalſea

Thomas Barnet	Michael Clary
Richard Cuſack	James McConnell
Edward Fitz-Gerald	Andrew Mahon
Andrew Hartford	Mathew Brien
Peter Jordan	Edward Irwine
John Kennedy	William Pollock
Edmund Kenna	Ambroſe Sharman
William Hamilton	Robert Stubbs
James Kelly	William Warren
Michael Kearns	John Clanchy
Mitchelborn Knox	Hugh Hynes
Samuel Law	Thomas Kelly
Joſeph Lancaſter	Nicholas Magan
Hugh Logan	James Gilford.

City

City Marſhalſea.

James Caldwell
James McQueen
Patrick Iyland
Patrick Kelly
Michael Daffy
William Meeke
John Chambers.

Newgate and Black Dog.

John Goold
Robert Belles.

Gaol of Tralee.
Miles McSweeny.

Leitrim Gaol.
William Jones.

Limerick City Gaol.

James Ryan
Luke Cregan.

Marſhalſea of Dundalk.
Thomas Byrne.

Gaol of Omagh.
Gerald Kyle.

Waterford Gaol.
Patrick Walſh.

SECOND SCHEDULE.

PART the SECOND.

Petitioners petitioned againſt.

John Allen a mariner.
Edward Aylmer, late of Church-ſtreet, Dublin, grocer.
Richard Brady of the city of Dublin, publican.
Thomas Bently, late of Dolphin's-barn, chemiſt,
William Bigley of the city of Dublin, baker.
William Bourke of the city of Dublin, merchant.
Thomas Bermingham of the city of Dublin, baker.
John Bourke eſquire of the city Dublin.
John Barry of the city of Dublin, vintner.
Thomas Bourke of Ballybough-bridge in the county of Dublin, grocer.
James Butler of Cook-ſtreet, in the city of Dublin, linen-weaver.
Bartholomew Connell of Dublin, baker.
Patrick Cullen, late of William-ſtreet, taylor.
John Connolly, late of John-ſtreet, Dublin, clothier.
Nicholas Caſey of Cook-ſtreet, Dublin, ſilk-weaver.
Thomas Croſbie of Killiner near Drogheda, linen-weaver.
Thomas Cantrell, formerly of William-ſtreet, Dublin, upholder.
Patrick Capprich of Mecklenburgh-ſtreet, labourer.
Michael Crotty of Meath-row, carpenter.
Owen Connor, late of Watling-ſtreet, Dublin, chapman and dealer.
Barnaby Dowling of the city of Dublin, muſician.

A. D. 1778. Chap. 34.

James Dunn of Dorset-ſtreet, ſmith and farrier.
Daniel Delany, late of Francis-ſtreet, woollen-draper.
Iſaac Hays Dunbar of the city of Dublin, glaſs-maker.
Thomas Fox of Thomas-court, Dublin, baker.
Thomas Farrell.
Edward Forſter, M. D.
Hugh Flagherty, late of the earl of Meath's liberty, clothier.
Thomas Finey of the city of Dublin, writing-clerk.
Richard Fagan, merchant.
James Gaffney of the city of Dublin, carpenter.
William Goodiſon of Kevan-ſtreet, Dublin, ſchoolmaſter.
John Goff of Broad-ſtreet, weaver.
Jeremiah Harney, late of College-green, Dublin, poplin-mercer.
Andrew Harford of Cook-ſtreet, Dublin, publican.
James Holmes, jeweller.
Henry Hatchell, goldſmith.
James Hale, late of the city of Dublin, coach-maker.
Patrick Hornidge of Bull-lane, Dublin, publican.
James Irwin, late of Maguire's-bridge, county Fermanagh, apothecary and inn-holder.
William Kinnier of the city of Dublin, breeches-maker.
Chriſtopher Kerny of the city of Dublin, butcher.
Henry King.
William Kelſy of the city of Dublin, dealer.
Peter Lawler, cabinet-maker.
John Langan of Luder in the county of Meath, farmer.
John Leary, late of Trinity-ſtreet, Dublin, publican.
Chriſtopher Lynhan, late of Mill-ſtreet, Dublin, brewer.
Kevan Lawleſs of the city of Dublin, writing-clerk.
David Lyon of the city of Dublin, taylor.
Dennis Lynch of the city of Dublin, publican.
John Mullegan, gentleman.
Thomas Mulvany of Ormond-market, Dublin, victualler.
Roger Molloy.
Joſeph Moreton of Ballbriggen, diſtiller.
Patrick Magennis, late of Waterunder in the county of Louth, farmer.
Patrick McMollen of Pool-ſtreet, Dublin, weaver.
Charles McDonald of Britain-ſtreet, Dublin, coachmaker.
Michael McLaughlin of the city of Dublin, victualler.
Francis McMahon of the city of Dublin, brewer.
Thomas McGawley of the city of Dublin, baker.
Martin Norton of the city of Dublin, watch-maker.
James Nowlan, late of Fordam's-alley, Dublin, now a fugitive for debt in London.
Samuel Plummer, late of Clontarf in the county of Dublin.
William O'Brien of the city of Dublin, gentleman.
John Oſborne of the city of Dublin, baker.
George Pallin of the city of Dublin, ſtuff-mercer.
Caleb Paine, late of Ballinaſloe in the county of Galway, farmer.
John Plunkett, late of Corn-market, hoſier.
John Prieſtly of the city of Dublin, attorney.
Robert Rutledge of Liſdort in the county of Tyrone, publican.
John Reilly, late of Dunſhaughlin county Meath, farmer.
Daniel Stephens, of Marrowbone-lane, weaver.
John Stone of the city of Dublin, dye-ſaker and metal-worker.

A. D. 1777-8.

George Savage of Bolton-ſtreet Dublin, victualler.
Charles Smith, late of the Merchant's-quay Dublin, cabinet-maker.
Mark Tew of Raddenſtown in the county of Meath.
George Tew of Gralgut in the county of Meath.
John Take of Tinnehinch in the county of Wicklow, farmer.
Reverend Anthony Towers.
John Twigg of the city of Dublin, gentleman.
Elizabeth Wright of the city of Dublin, widow, a priſoner in the city marſhalſea.
Jane Walſh of Drogheda, dealer.
Stephen Williams of Trim in the county of Meath, vintner.
John Wilſon of Ormond-ſtreet in the city of Dublin, linen-weaver.
John Wilſon of the city of Dublin, tallow-chandler.
William Wilſon of the city of Dublin, writing-clerk.
Broderick Wheeler of the city of Kilkenny, watch-maker.
Chriſtopher Ward, late of Thomas-ſtreet Dublin, yarn-dealer.

CHAP. XV.

An Act to enable teſtamentary Guardians of Minors to make Leaſes for the Purpoſe of building County Infirmaries and Hoſpitals on the Eſtates of ſuch Minors, ſubject to the Reſtrictions herein after mentioned.

WHEREAS by an act made in the fifth year of his preſent Majeſty for the erecting and eſtabliſhing publick infirmaries or hoſpitals in this kingdom tenants for life are impowered to make fee farm grants or leaſes in perpetuity of any quantity of ground, not exceeding two acres, for the purpoſe of erecting a county infirmary or hoſpital: and whereas by an act paſſed in the ſeventh year of his preſent Majeſty, made to amend the aforeſaid recited act, archbiſhops, biſhops, and other corporate bodies, are impowered to make leaſes in perpetuity and in reverſion of any quantity of ground, not exceeding two acres, at a reaſonable rent, for erecting an infirmary or hoſpital for any county: but no proviſion is made by the ſaid recited acts to enable the teſtamentary guardians of minors to make leaſes in perpetuity for the ſame purpoſe, which has prevented the erecting of infirmaries in places proper for them: be it therefore enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful for the teſtamentary guardian or guardians of any minor or minors to make a leaſe or leaſes in perpetuity of any quantity of land, not exceeding two acres, and not being part of the demeſne land, of any minor or minors, at

5 G. 3. c. 20.

7 G. 3. c. 8.

teſtamentary guardians may leaſe in perpetuity not above a acres.

A. D. 1777-9.

the most improved rent, to the governors of any county infirmary or hospital; which lease or leases the said guardians are hereby impowered to make respectively, for erecting an infirmary or hospital for any county: provided such lease be approved of by the chancellor, lord keeper, or lords commissioners for keeping the great seals for the time being, by his or their order upon a petition to him or them for that purpose.

not part of demesne at most improved rent for county hospital.

if approved in chancery on petition.

CHAP. XVI.

An Act for granting and continuing to His Majesty the several Duties, Rates, and Impositions therein mentioned, for the Use of the Corporation for promoting and carrying on an Inland Navigation in Ireland.

Duties 21 years by 3 G. 2. c. 3.

WHEREAS by an act made in the third year of the reign of his late Majesty king George the second, entitled, *An act for the encouragement of tillage and the better employment of the poor, and also for the more effectual putting in execution an act*, entitled, *An act to encourage the draining of bogs and unprofitable low grounds, and for easing and dispatching the inland carriage and conveyance of goods from one part to another within this kingdom, and also for laying several duties upon coaches, berlins, chariots, calashes, chaises, and chairs, and upon cards and dice, and upon wrought and manufactured gold and silver plate imported into or made in Ireland for the purposes therein mentioned; and also for the repealing the duties payable upon the exportation of wool, bay yarn, and woollen yarn out of this kingdom for England*, the several rates and duties therein mentioned were granted to his Majesty from the twenty fifth day of March one thousand seven hundred and thirty for the term of twenty one years for the purposes mentioned in the said act; which said several rates and duties by an act passed in the twenty third year of his said Majesty's reign were further granted and continued to his said Majesty from the said twenty fifth day of March one thousand seven hundred and fifty one for and during the further term of twenty one years from thence next ensuing for the purposes therein mentioned; which said several rates and duties by an act, passed in the eleventh and twelfth years of the reign of his present Majesty king George the third, were further granted and continued to his Majesty from the twenty fifth day of March one thousand seven hundred and seventy two, and for and during the term of seven years from thence next ensuing for the purposes mentioned in the said act, and

continued 21 years by 23 G. 2. c. 5.

and 7 years by 11 & 12 G. 3. c. 4.

and by the ſaid act of the third of his late Majeſty king George the ſecond, ſeveral commiſſioners were appointed with powers upon the death of any of their number to elect others in perpetual ſucceſſion, and with powers to diſpoſe of the ſaid rates and duties for the purpoſes in the ſaid act mentioned: and whereas the ſaid commiſſioners have been ſince incorporated by the name of the corporation for promoting and carrying on an inland navigation in Ireland, and the ſaid corporation hath accordingly laid out and applied divers conſiderable ſums of money ariſing from the ſaid duties in and towards the making and carrying on ſeveral uſeful and neceſſary works, ſome of which are now nearly finiſhed: and whereas the ſaid term of ſeven years, for which the ſaid duties were granted, will expire on the twenty fifth day of March one thouſand ſeven hundred and ſeventy nine; and in caſe the ſame ſhould not be continued, the works now carrying on, and ſeveral other publick and uſeful works intended to be made in divers parts of this kingdom, cannot be made and finiſhed, whereby the monies already laid out may be entirely loſt, and the publick deprived of the benefit thereof: and whereas by the ſaid act of the eleventh and twelfth years of the reign of his preſent Majeſty king George the third it is enacted, that it ſhall and may be lawful for the ſaid corporation for promoting and carrying on an inland navigation in this kingdom to contract upon the terms mentioned in the ſaid act with private ſubſcribers, undertaking to make and compleat any inland navigation, to give to ſuch ſubſcribers an aid towards carrying on ſuch navigation, not exceeding in the whole one ſixth part of the ſum which ſhall be neceſſary for carrying on and compleating ſuch navigation: and the ſaid corporation have in conſequence of the ſaid power in them veſted by the ſaid act entered into contract with private ſubſcribers, who have undertaken to execute ſeveral works in this kingdom, to give to ſuch ſubſcribers an aid of the one ſixth part of the ſums by them from time to time expended in making and compleating the ſame purſuant to the ſaid act; and in caſe the ſaid duties ſhould not be continued, the publick faith in theſe ſeveral inſtances would be violated and broken, and works ſo contracted for as aforeſaid would probably be diſcontinued and totally deſerted by means of ſuch breach of compact to the injury of ſuch private ſubſcribers, and the great loſs and detriment of this kingdom: for the prevention whereof, and the better and more effectually to enable the ſaid corporation to carry on and compleat works of ſuch publick advantage, be it enacted by the King's moſt excellent Ma-

commiſſioners by 3 G. 2. c. 3. ſince incorporated,

conſiderable ſums laid out on uſeful works,

contracts by the corporation with private ſubſcribers purſuant to 11 & 12 G. 3. c. 4.

A. D. 1777-8. Chap. 16.

jeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſeveral rates, impoſitions, and duties on coaches, berlins, chariots, calaſhes, chaiſes, and chairs, cards, and dice, wrought and manufactured gold and ſilver plate, which in and by the ſaid act of the third of his late Majeſty were granted and made chargeable in the manner in the ſaid act mentioned, be further granted, continued, raiſed, collected, levied, and paid unto his Majeſty his heirs and ſucceſſors, for the uſe of the ſaid corporation for promoting and carrying on an inland navigation in Ireland from the twenty fifth day of March one thouſand ſeven hundred and ſeventy nine for and during the further term of ſeven years from thence next enſuing.

duties by 3 G. 2. c. 3. continued for uſe of ſaid corporation 7 years from 25 March 1779.

II. And be it further enacted by the authority aforeſaid, That all and ſingular the rates, duties, and impoſitions hereby granted and continued, ſhall be raiſed, collected, levied, and paid, during the ſaid further term of ſeven years, at ſuch times, in ſuch manner, and by ſuch perſons, as are directed and appointed by the ſaid act of the third of his late Majeſty, or by an act paſſed in the twenty fifth year of his ſaid late Majeſty's reign, or by any other law now in force relating to the ſaid duties, rates, and impoſitions, as fully and effectually as if the ſaid acts were repeated again and re-enacted in the body of this act; and that all penalties and forfeitures inflicted by the ſaid acts, or any of them, and which ſhall incur and ariſe during the ſaid further term of ſeven years from the twenty fifth day of March one thouſand ſeven hundred and ſeventy nine ſhall be ſued for, recovered, and applied in ſuch manner, as by the ſaid acts are directed; and the ſeveral offenders ſhall be ſubject to ſuch puniſhment in caſe of nonpayment thereof, as are mentioned and appointed by the ſaid acts.

Raiſed and paid as by 3 G. 2. c. 3. or 25 G. 2. c. 10. or any other law in force,

penalties as by ſaid acts.

III. And whereas it may be found expedient and neceſſary for enabling the corporation for promoting and carrying on an inland navigation in Ireland more effectually to carry into execution the purpoſes of this act, that the powers granted them by any former acts of parliament ſhould be alſo renewed: be it enacted by the authority aforeſaid, That all and ſingular the powers veſted in the ſaid corporation by any law now in force, ſhall be renewed and granted to them in as full and ample manner, as if the clauſes granting the ſame were repeated again and re-enacted in the body of this act.

All powers in the corporation renewed.

No new warrants by the corporation for money out of the funds, till those unsatisfied and debts are discharged.

IV. And be it enacted by the authority aforesaid, that from and after this act shall pass into a law, it shall not be lawful for the said corporation to make, issue, or grant any new warrant or warrants, order or orders, for raising or paying any sum or sums of money out of the funds of the said corporation for any use or purpose whatsoever (the payment of officers and servants salaries, and house rent, and such sums as may be necessary to repair any accidental breaches which may happen in any navigation now in use, and which the tolls of such navigation are not sufficient to repair, excepted) until such time as all the outstanding and unsatisfied warrants or orders of the said corporation for money thereby already granted, and also until all the debts already incurred by the said corporation, shall be fully paid off and discharged; any law, bye law, resolution, or order of the said corporation to the contrary in any wise notwithstanding.

save for salaries, rent, or accidental breaches.

No further grants (save as aforesaid) by said corporation after arrears and debts discharged, unless sufficient in the funds to pay the same, otherwise void.

V. And be it further enacted by the authority aforesaid, that when and at such time as all such warrants or orders of the said corporation for the payment of money already granted thereby, or for payment of debts already incurred by the said corporation, shall have been paid off and discharged, and the said corporation thereby entirely relieved from debt, and free from arrear, it shall not be lawful for the said corporation to resolve, order, or grant any sum or sums of money to be raised or paid out of the funds of the said corporation for any use or purpose whatsoever (the payment of officers and servants salaries, and house rent, and such sums as may be necessary to repair any accidental breaches which may happen in any navigation now in use, and which the tolls of such navigation shall not be sufficient to repair, excepted) unless there shall be in the funds of the said corporation at the respective times of making such order or orders, resolution or resolutions, grant or grants, so much money, as will be sufficient to pay and discharge the same; and if there shall not be in the funds of the said corporation at the respective times of making such order or orders, resolution or resolutions, grant or grants, as much money as will satisfy and pay the same then and in such cases the said order or orders, resolution or resolutions, grant or grants, of the said corporation, shall be deemed and taken to be null and void to all intents and purposes; any act of parliament, bye-law, resolution, or order of the said corporation to the contrary thereof in any wise notwithstanding.

A. D. 1777-8.

CHAP. XVII.

An act to amend and continue an act passed in the thirteenth and fourteenth years of his present Majesty, entitled, *An act for the better regulation of the baking trade in the city of Dublin, and for other purposes.*

Produce of a quarter of wheat stated too high,

WHEREAS the present table for regulating the assize of bread is confessedly inaccurate, as stating the produce of the quarter of wheat higher, than it is found to be by the most accurate experiments; from whence a necessity arises of impowering the magistrate to vary the allowance to the baker, as the price of wheat and flour varies, which creates much trouble to the magistrate, and occasions frequent disputes between him and the baker: and whereas it is therefore judged expedient to ascertain, as near as may be, the just quantity, which a quarter of wheat shall be supposed to produce, and to fix a certain reasonable allowance to the baker, which shall never vary, except when the increase of his necessary expences in baking may require it: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from the twenty fourth day of June one thousand seven hundred and seventy eight the weight of all household and white bread, instead of being regulated by the table of assize annexed to the said act, shall be regulated by the table annexed to the present act, in which the value of a quarter of wheat, after deducting the miller's toll, is in household bread stated at thirty seven stone seven pounds; and twenty eight stone and an half of all kinds of flour, bought by the bakers, shall be deemed equal to said quarter of wheat; and by the same table all white bread shall weigh two thirds of household bread of the same price; and the magistrate shall give an allowance of ten shillings only on said quarter.

instead of the table 13 and 14 *G.* 3. c. 47, weight of household and white regulated by table annexed,

wheat, deducting toll 37 stone 7lb. *per* quarter in household,

28 stone and 1-half of all flour equal thereto.

white 2-3ds of household of same price,

allowance 10s. on said quarter.

II. And for remedy of the great distresses and inconveniencies, that have arisen in the city of Dublin and the liberties adjacent from the combinations and other licentious practices of the journeymen of the baking trade, be it enacted by the authority aforesaid that any journeyman baker refusing to work with or who shall quit the service of his employer on account of his employer having one or more apprentices, or who shall absent himself from or quit the service of his said employer without giving his said

Journeyman refusing work or quitting service on employer's having apprentices, or absenting or quitting without one week's notice, combining, or damaging employer's property,

ſaid employer one week's previous notice of his intention ſo to do, or who ſhall be guilty of entering into any combination againſt the ſaid maſter bakers, or any other perſon concerned in ſaid trade, or any journeyman baker who ſhall wilfully or maliciouſly damage, adulterate, or deſtroy the materials or property of his employer, ſhall upon due proof thereof by the oath of one or more credible witneſs or witneſſes before the lord mayor or any other magiſtrate of the city of Dublin or liberties thereunto adjoining, be fined any ſum, not exceeding five pounds, or impriſonment any time not exceeding one month, at the diſcretion of the magiſtrate before whom ſuch proofs ſhall be made; and that any maſter baker within ſaid city or liberties thereunto adjoining, who ſhall employ any journeyman baker, convicted as aforeſaid, within ſix months after ſuch conviction, ſhall upon due proof thereof be fined ten pounds, to be recovered and applied as is directed by an act of the firſt of George the ſecond, entitled, *An act for regulating the price and aſſize of bread and the markets.*

fined 5l. or impriſoned 1 month,

baker employing in 6 months after, fined 10l. as by 1 G. 2. c. 16.

III. And whereas divers frauds are often practiſed by perſons ſelling or offering to ſale wheat, rye, meſlin, peas, beans, barley, bere, oats, ſhillin, cutlings, meal, flour, and malt, by ſpoiling or adulterating the ſame or part thereof, or producing to the view of the intended buyer a ſpecies of ſuch corn, grain, malt, meal, or flour, of a quality ſuperior to the bulk of that ſo offered to ſale, in order by ſuch means to deceive and defraud the buyer thereof, or perſon to whom the ſame ſhall be offered to ſale: to prevent which injurious practices be it enacted by the authority aforeſaid, that from henceforth if any perſon or perſons ſhall ſell or offer to ſale any of the ſaid ſorts of corn, grain, malt, meal, or flour, which ſhall in the whole or in part be ſpoiled or adulterated by wetting or mixing therewith any ſand, gravel, dirt, rotten or damaged corn, grain, malt, meal, or flour, or grown or blighted corn, or other kind of ſtuff, or which ſhall not be in quality of equal goodneſs to that produced to the view of the intended buyer or buyers thereof, or ſhall uſe any other fraud or deceit therein, or in order to make ſuch corn, grain, malt, meal, or flour appear heavier, than it would have been without ſuch mixture, fraud, or deceit; every perſon, being lawfully convicted of any of the ſaid frauds or deceits by the oath of one credible witneſs before any juſtice of the peace ſhall for every ſuch offence forfeit all ſuch corn, grain, malt, meal, or flour, one half thereof to the uſe of the informer, and the other half to the uſe of the poor of the pariſh where

Selling corn, grain, malt, meal, or flour adulterated, not equal to ſample, or any fraud on buyer, forfeited and 40s. to the poor and informer,

A. D. 1777-8. Chap. 17.

where ſuch offence ſhall have been committed, and alſo the ſum of forty ſhillings, to be levied by diſtreſs and ſale of ſuch offenders goods; one moiety of which ſaid ſum of forty ſhillings ſhall be to the informer, and the other moiety thereof to the uſe of the poor of the pariſh as aforeſaid; and in caſe no ſuch diſtreſs can be had, then every ſuch offender ſhall by warrant under the hand and ſeal of ſuch juſtice be ſent to the houſe of correction, there to be whipped and kept to hard labour for ſuch ſpace of time, not exceeding three weeks, as ſuch juſtice of the peace ſhall direct.

if no diſtreſs, committed not above 3 weeks.

IV. And be it further enacted by the authority aforeſaid, that the ſaid act and one other act for amending the ſame, paſſed in the fifteenth and ſixteenth years of his preſent Majeſty, and every clauſe in both the ſaid acts, except as herein amended, ſhall continue in force for two years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight and to the end of the next ſeſſion of parliament.

13 & 14 *G.* 3. *c.* 47. & 15 & 16 *G.* 3. *c.* 22. ſave as amended, continued 2 years from 24 *June*, 1778, &c.

2 years &c by 19 & 20 *G.* 3. *c.* 15. *ſ.* 2.

2 years from 24 *June* 1780, *&c.* by 19 & 20 *G.* 3. *c.* 21. *ſ.* 3.

A TABLE

A

TABLE

Of the ASSIZE of BREAD,

In Pounds, Ounces, and Drachms, Avoirdupoise Weight.

Note, The Ounce is divided into Eight Drachms, calculated upon the real Produce of one Quarter of Wheat, *viz.* Thirty-seven Stone Seven Pounds.

Price of one Quarter.	Penny Loaf.	4 Penny Loaf.	6 Penny Loaf.	12 Penny Loaf.
l. s. d.	lb. oz. dr. pts.	lb. oz. dr. pts.	lb. oz. dr. pts.	lb. oz. dr. pts.
1 10 0		5 13 2 1	8 12 0	17 8 0
1 10 6		5 11 6 15/17	8 9 5 15/17	17 3 3 15/17
1 11 0		5 10 2 15/17	8 7 3 15/17	16 14 7 15/17
1 11 6		5 8 7 1/2	8 5 2 1/2	16 10 5 1/2
1 12 0		5 7 4	8 3 2	16 6 4
1 12 6		5 6 1 1/17	8 1 1 15/17	16 2 3 1/17
1 13 0		5 4 6 15/17	7 15 2 1/17	15 14 4 1/17
1 13 6		5 3 4 15/17	7 13 2 15/17	15 10 5 15/17
1 14 0		5 2 2 15/17	7 11 4 1/17	15 7 0 1/17
1 14 6		5 1 1 15/17	7 9 6 15/17	15 3 5 15/17
1 15 0		5 0 0	7 8 0	15 0 0
1 15 6		4 14 6 15/17	7 6 2 15/17	14 12 4 15/17
1 16 0		4 13 6 1/2	7 4 5 1/2	14 9 2 1/2
1 16 6		4 12 5 15/17	7 3 0 15/17	14 6 1 1/2
1 17 0		4 11 5 15/17	7 1 4 1/17	14 3 0 1/17
1 17 6		4 10 5 1/2	7 0 0	14 0 0

A. D. 1777-8. Chap. 17.

Price of one Quarter.			Penny Loaf.				4 Penny Loaf.				6 Penny Loaf.				12 Penny Loaf.			
l.	s.	d.	lb.	oz.	dr.	pts.	lb.	oz.	dr.	pts.	lb.	oz.	dr.	pts.	lb.	oz.	dr.	pts.
1	18	0					4	9	5	8/17	6	14	4	8/17	13	13	0	8/17
1	18	6					4	8	5	24/34	6	13	0	16/34	13	10	1	16/34
1	19	0					4	7	6	13/17	6	11	5	1/17	13	7	3	1/17
1	19	6					4	6	7	7/17	6	10	2	10/17	13	4	5	10/17
2	0	0					4	6	0		6	9	0		13	2	0	
2	0	6					4	5	1	7/17	6	7	5	17/17	12	15	3	7/17
2	1	0					4	4	2	14/17	6	6	3	1/17	12	12	7	1/17
2	1	6					4	3	3	21/34	6	5	1	11/34	12	10	3	11/34
2	2	0					4	2	5	1/2	6	4	0		12	8	0	
2	2	6					4	1	7	15/17	6	2	6	19/34	12	5	5	15/17
2	3	0					4	1	0	43/68	6	1	5	11/34	12	3	2	29/34
2	3	6					4	0	2	23/34	6	0	4	15/34	12	1	0	23/34
2	4	0					3	15	5	1/17	5	15	3	7/17	11	14	7	1/17
2	4	6					3	14	7	19/34	5	14	3	1/17	11	12	6	19/34
2	5	0					3	14	1	31/34	5	13	2	3/4	11	10	5	1/17
2	5	6					3	13	4	4/17	5	12	2	5/17	11	8	4	13/34
2	6	0					3	12	7	13/17	5	11	3	2/17	11	6	6	25/34
2	6	6					3	12	1	61/68	5	10	2	14/17	11	4	5	31/34
2	7	0					3	11	4	33/34	5	9	2	13/17	11	2	5	11/17
2	7	6					3	10	7	15/17	5	8	3	1/17	11	0	6	1/17
2	8	0					3	10	2	1/2	5	7	4		10	15	0	
2	8	6					3	9	5	31/34	5	6	4	16/17	10	13	1	14/17
2	9	0					3	9	1	1/2	5	5	5	1/2	10	11	3	1/2
2	9	6					3	8	4	17/34	5	4	6	33/34	10	9	5	17/34
2	10	0					3	8	0		5	4	0		10	8	0	
2	10	6					3	7	3	17/68	5	3	1	15/68	10	6	2	19/68
2	11	0					3	6	7	11/17	5	2	2	14/17	10	4	5	11/17
2	11	6					3	6	2	21/68	5	1	4	45/68	10	3	0	11/68
2	12	0					3	5	6	19/34	5	0	6	1/17	10	1	4	1/17
2	12	6					3	5	2	3/4	5	0	0		10	0	0	
2	13	0					3	5	6	15/34	4	15	1	11/34	9	14	3	15/34
2	13	6					3	4	2	14/68	4	14	4	7/68	9	13	0	1/68
2	14	0					3	4	6	23/34	4	13	6	3/4	9	11	4	1/2
2	14	6					3	3	3	5/68	4	13	0	15/68	9	10	1	7/68
2	15	0					3	3	7	1/17	4	12	2	10/17	9	8	5	1/17
2	15	6					3	2	3	67/68	4	11	5	11/17	9	7	2	13/17
2	16	0					3	2	0		4	11	0		9	6	0	
2	16	6					3	1	4	17/17	4	10	2	7/17	9	4	5	61/68
2	17	0					3	1	0	14/17	4	9	5	5/68	9	3	2	11/17
2	17	6					3	0	2	105/119	4	9	0	24/17	9	2	0	7/68
2	18	0					3	0	2	9/17	4	8	3	9/17	9	0	6	11/17
2	18	6					2	15	6	105/119	4	7	6	1/17	8	15	4	11/17
2	19	0					2	15	3	1/17	4	7	1	7/17	8	14	3	11/17
2	19	6					2	15	0	9/17	4	6	4	1/17	8	13	1	7/17
3	0	0					2	14	5	1/2	4	6	0		8	12	0	
3	0	6					2	14	2	119/136	4	5	3	24/17	8	10	7	49/68
3	1	0					2	13	7	11/17	4	4	6	11/17	8	9	5	11/17
3	1	6					2	13	4	34/51	4	4	2	14/17	8	8	4	23/34
3	2	0					2	13	1	9/17	4	3	5	7/17	8	7	3	15/17
3	2	6					2	12	6	1/2	4	3	1	1/2	8	6	3	1/2

Price of one Quarter.			Penny Loaf.	4 Penny Loaf.			6 Penny Loaf.			12 Penny Loaf.		
l.	s.	d.	lb. oz. dr. pts.	lb.	oz.	dr. pts.	lb.	oz.	dr. pts.	lb.	oz.	dr. pts.
3	3	0		2	12	3 $\frac{1}{2}$	4	2	5 $\frac{1}{2}$	8	5	2 $\frac{1}{2}$
3	3	6		2	12	0 $\frac{16}{17}$	4	2	2 $\frac{11}{17}$	8	4	2 $\frac{14}{17}$
3	4	0		2	11	6	4	1	5	8	3	2
3	4	6		2	11	3 $\frac{12}{17}$	4	1	0 $\frac{119}{136}$	8	2	1 $\frac{121}{136}$
3	5	0		2	11	0 $\frac{8}{17}$	4	0	4 $\frac{11}{17}$	8	1	1 $\frac{13}{17}$
3	5	6		2	10	5 $\frac{121}{136}$	4	0	0 $\frac{119}{136}$	8	0	1 $\frac{125}{136}$
3	6	0		2	10	3 $\frac{11}{17}$	3	15	5 $\frac{7}{17}$	7	15	2 $\frac{7}{17}$
3	6	6		2	10	0 $\frac{119}{136}$	3	15	1 $\frac{129}{136}$	7	14	2 $\frac{15}{17}$
3	7	0		2	9	6 $\frac{11}{17}$	3	14	5 $\frac{11}{17}$	7	13	2 $\frac{13}{17}$
3	7	6		2	9	3 $\frac{14}{17}$	3	14	1 $\frac{9}{17}$	7	12	3 $\frac{9}{17}$
3	8	0		2	9	1 $\frac{7}{17}$	3	13	6 $\frac{1}{17}$	7	11	4 $\frac{5}{17}$
3	8	6		2	8	7 $\frac{1}{17}$	3	13	2 $\frac{129}{136}$	7	10	5 $\frac{1}{17}$
3	9	0		2	8	4 $\frac{131}{136}$	3	12	7 $\frac{11}{17}$	7	9	6 $\frac{13}{17}$
3	9	6		2	8	2 $\frac{119}{136}$	3	12	3 $\frac{121}{136}$	7	8	6 $\frac{125}{136}$
3	10	0		2	8	0	3	12	0	7	8	0
3	10	6		2	7	6 $\frac{123}{136}$	3	11	4 $\frac{11}{17}$	7	7	1 $\frac{13}{17}$
3	11	0		2	7	3 $\frac{11}{17}$	3	11	1 $\frac{7}{17}$	7	6	2 $\frac{11}{17}$
3	11	6		2	7	1	3	10	5 $\frac{1}{2}$	7	5	3
3	12	0		2	6	7 $\frac{1}{2}$	3	10	2 $\frac{1}{2}$	7	4	5 $\frac{1}{2}$
3	12	6		2	6	4 $\frac{13}{17}$	3	9	7 $\frac{11}{17}$	7	3	6 $\frac{15}{17}$
3	13	0		2	6	2 $\frac{5}{17}$	3	9	4 $\frac{13}{17}$	7	3	0 $\frac{255}{272}$
3	13	6		2	6	0 $\frac{15}{17}$	3	9	1 $\frac{1}{2}$	7	2	2 $\frac{9}{17}$
3	14	0		2	5	6 $\frac{3}{17}$	3	8	6 $\frac{3}{17}$	7	1	4 $\frac{7}{17}$
3	14	6		2	5	4 $\frac{133}{136}$	3	8	3 $\frac{121}{136}$	7	0	6 $\frac{249}{272}$
3	15	0		2	5	2 $\frac{1}{2}$	3	8	0	7	0	0
3	15	6		2	5	0 $\frac{129}{136}$	3	7	5 $\frac{1}{17}$	6	15	2 $\frac{19}{17}$
3	16	0		2	4	6 $\frac{14}{17}$	3	7	2 $\frac{3}{17}$	6	14	4 $\frac{3}{17}$
3	16	6		2	4	4 $\frac{135}{136}$	3	6	7 $\frac{11}{17}$	6	13	6 $\frac{13}{17}$
3	17	0		2	4	2 $\frac{13}{17}$	3	6	4 $\frac{5}{17}$	6	13	0 $\frac{9}{17}$
3	17	6		2	4	1 $\frac{3}{17}$	3	6	1 $\frac{11}{17}$	6	12	3 $\frac{1}{17}$
3	18	0		2	3	7 $\frac{7}{17}$	3	5	6 $\frac{13}{17}$	6	11	5 $\frac{7}{17}$
3	18	6		2	3	5 $\frac{1}{17}$	3	5	4 $\frac{1}{17}$	6	11	0 $\frac{1}{17}$
3	19	0		2	3	3 $\frac{11}{17}$	3	5	1 $\frac{11}{17}$	6	10	2 $\frac{13}{17}$
3	19	6		2	3	1 $\frac{8}{17}$	3	4	6 $\frac{1}{2}$	6	9	5
4	0	0		2	3	0	3	4	4	6	9	0
4	0	6		2	2	6 $\frac{43}{136}$	3	4	1 $\frac{63}{136}$	6	8	2 $\frac{135}{136}$
4	1	0		2	2	4 $\frac{1}{2}$	3	3	6 $\frac{11}{17}$	6	7	5 $\frac{11}{17}$
4	1	6		2	2	2 $\frac{135}{136}$	3	3	4 $\frac{44}{136}$	6	7	0 $\frac{11}{136}$
4	2	0		2	2	1 $\frac{7}{17}$	3	3	1 $\frac{11}{17}$	6	6	3 $\frac{13}{17}$
4	2	6		2	1	7 $\frac{13}{17}$	3	2	7 $\frac{1}{17}$	6	5	6 $\frac{5}{17}$
4	3	0		2	1	5 $\frac{13}{17}$	3	2	4 $\frac{61}{136}$	6	5	1 $\frac{11}{17}$
4	3	6		2	1	4 $\frac{44}{136}$	3	2	2 $\frac{63}{136}$	6	4	4 $\frac{113}{136}$
4	4	0		2	1	2 $\frac{3}{4}$	3	2	0	6	4	0
4	4	6		2	1	1 $\frac{11}{136}$	3	1	5 $\frac{101}{136}$	6	3	3 $\frac{41}{136}$
4	5	0		2	0	7 $\frac{9}{17}$	3	1	3 $\frac{1}{17}$	6	2	6 $\frac{13}{17}$
4	5	6		2	0	5 $\frac{141}{272}$	3	1	0 $\frac{15}{17}$	6	2	1 $\frac{11}{17}$
4	6	0		2	0	4 $\frac{13}{17}$	3	0	6 $\frac{13}{17}$	6	1	5 $\frac{13}{17}$
4	6	6		2	0	2 $\frac{135}{136}$	3	0	4 $\frac{15}{136}$	6	1	0 $\frac{113}{136}$
4	7	0		2	0	1 $\frac{11}{17}$	3	0	2 $\frac{11}{17}$	6	0	4 $\frac{15}{17}$
4	7	6		2	0	0	3	0	0	6	0	0

A. D. 1777-8. Chap. 17. Price of one Quarter.			Penny Loaf.	4 Penny Loaf.	6 Penny Loaf.	12 Penny Loaf.
l.	s.	d.	lb. oz. dr. pts.	lb. oz. dr. pts.	lb. oz. dr. pts.	lb. oz. dr. pts.
4	8	0		1 15 6 $\frac{8}{11}$	2 15 5 $\frac{8}{11}$	5 15 3 $\frac{7}{11}$
4	8	6		1 15 5 $\frac{13}{176}$	2 15 3 $\frac{13}{176}$	5 14 7 $\frac{13}{176}$
4	9	0		1 15 3 $\frac{1}{2}$	2 15 1 $\frac{1}{2}$	5 14 3 $\frac{1}{2}$
4	9	6		1 15 2 $\frac{19}{176}$	2 14 7 $\frac{19}{176}$	5 13 6 $\frac{19}{176}$
4	10	0		1 15 0 $\frac{8}{11}$	2 14 5 $\frac{8}{11}$	5 13 2 $\frac{8}{11}$
4	10	6		1 14 7 $\frac{24}{176}$	2 14 3 $\frac{24}{176}$	5 12 6 $\frac{24}{176}$
4	11	0		1 14 6 $\frac{3}{11}$	2 14 1 $\frac{3}{11}$	5 12 2 $\frac{3}{11}$
4	11	6		1 14 5 $\frac{29}{176}$	2 13 7 $\frac{29}{176}$	5 11 7 $\frac{29}{176}$
4	12	0		1 14 3 $\frac{5}{11}$	2 13 5 $\frac{5}{11}$	5 11 3 $\frac{5}{11}$
4	12	6		1 14 2 $\frac{9}{11}$	2 13 3 $\frac{9}{11}$	5 10 6 $\frac{9}{11}$
4	13	0		1 14 0 $\frac{10}{11}$	2 13 1 $\frac{10}{11}$	5 10 2 $\frac{10}{11}$
4	13	6		1 13 7 $\frac{107}{176}$	2 12 7 $\frac{107}{176}$	5 9 6 $\frac{107}{176}$
4	14	0		1 13 6 $\frac{12}{11}$	2 12 5 $\frac{12}{11}$	5 9 2 $\frac{12}{11}$
4	14	6		1 13 5 $\frac{1}{11}$	2 12 3 $\frac{1}{11}$	5 8 7 $\frac{1}{11}$
4	15	0		1 13 3 $\frac{13}{176}$	2 12 1 $\frac{13}{176}$	5 8 3 $\frac{13}{176}$
4	15	6		1 13 2 $\frac{125}{176}$	2 11 7 $\frac{125}{176}$	5 7 7 $\frac{125}{176}$
4	16	0		1 13 1 $\frac{1}{2}$	2 11 6	5 7 4
4	16	6		1 13 0 $\frac{137}{176}$	2 11 4 $\frac{137}{176}$	5 7 0 $\frac{137}{176}$
4	17	0		1 12 6 $\frac{13}{176}$	2 11 2 $\frac{13}{176}$	5 6 4 $\frac{13}{176}$
4	17	6		1 12 5 $\frac{25}{176}$	2 11 0 $\frac{25}{176}$	5 6 1 $\frac{25}{176}$
4	18	0		1 12 4 $\frac{3}{11}$	2 10 6 $\frac{3}{11}$	5 5 5 $\frac{3}{11}$
4	18	6		1 12 3 $\frac{149}{176}$	2 10 5 $\frac{149}{176}$	5 5 2 $\frac{149}{176}$
4	19	0		1 12 2 $\frac{37}{176}$	2 10 3 $\frac{37}{176}$	5 4 6 $\frac{37}{176}$
4	19	6		1 12 1 $\frac{161}{176}$	2 10 1 $\frac{161}{176}$	5 4 3 $\frac{161}{176}$
5	0	0		1 12 0	2 10 0	5 4 0

A

TABLE

Of ASSIZE for WHITE BREAD,

Calculated at 2-3 of the HOUSEHOLD ASSIZE.

Price.	2 Penny Loaf.	4 Penny Loaf.	6 Penny Loaf.	12 Penny Loaf.
l. s. d.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.
1 10 0	1 15 0	3 14 1	5 13 2	11 10 5
1 10 6	1 14 4	3 13 1	5 11 6	11 7 4
1 11 0	1 14 0	3 12 1	5 10 2	11 4 5
1 11 6	1 13 4	3 11 1	5 8 5	11 1 3
1 12 0	1 13 1	3 10 2	5 7 4	10 15 0
1 12 6	1 12 5	3 9 3	5 6 1	10 12 2
1 13 0	1 12 2	3 8 4	5 4 6	10 9 5
1 13 6	1 11 6	3 7 5	5 3 4	10 7 1
1 14 0	1 11 3	3 6 7	5 2 2	10 4 5
1 14 6	1 11 0	3 6 1	5 1 1	10 2 3
1 15 0	1 10 5	3 5 2	5 0 0	10 0 0
1 15 6	1 10 2	3 4 4	4 14 6	9 13 5
1 16 0	1 9 7	3 3 6	4 13 6	9 11 4
1 16 6	1 9 4	3 3 1	4 12 5	9 9 3
1 17 0	1 9 2	3 2 4	4 11 6	9 7 4
1 17 6	1 8 7	3 1 6	4 10 5	9 5 2
1 18 0	1 8 4	3 1 0	4 9 5	9 3 2
1 18 6	1 8 1	3 0 3	4 8 5	9 1 3
1 19 0	1 7 7	2 15 6	4 7 6	8 15 4
1 19 6	1 7 5	2 15 2	4 6 7	8 13 6
2 0 0	1 7 2	2 14 5	4 6 0	8 12 0
2 0 6	1 7 0	2 14 0	4 5 1	8 10 2
2 1 0	1 6 6	2 13 4	4 4 2	8 8 4
2 1 6	1 6 3	2 12 7	4 3 3	8 6 7

Price.			2 Penny Loaf.			4 Penny Loaf.			6 Penny Loaf.			12 Penny Loaf.		
l.	s.	d.	lb.	oz.	dr.	lb.	oz.	dr	lb.	oz.	dr.	lb.	oz.	dr.
2	2	0	1	6	17 9/10	2	12	3 9/10	4	2	5 1/5	8	5	2 3/5
2	2	6	1	5	7 2/5	2	11	7 1/5	4	1	7	8	3	6
2	3	0	1	5	5 11/20	2	11	3 2/5	4	1	0 2/5	8	2	1 3/5
2	3	6	1	5	3 11/20	2	10	7 2/5	4	0	2 4/5	8	0	5 1/5
2	4	0	1	5	1 3/5	2	10	3 1/5	3	15	5	7	15	2
2	4	6	1	4	7 3/5	2	9	7 1/5	3	14	7	7	13	6
2	5	0	1	4	5 4/5	2	9	3 2/5	3	14	1 1/5	7	12	3
2	5	6	1	4	4	2	8	8	3	13	4 1/5	7	11	0 1/5
2	6	0	1	4	2 4/5	2	8	5	3	12	7 1/5	7	9	7
2	6	6	1	4	0 1/10	2	8	1 1/5	3	12	1 1/5	7	8	3 1/5
2	7	0	1	3	6 4/5	2	7	5 2/5	3	11	4 1/5	7	7	1
2	7	6	1	3	5 1/5	2	7	2 1/5	3	10	7 1/5	7	5	7
2	8	0	1	3	3 3/5	2	6	7	3	10	2 2/5	7	4	5 1/5
2	8	6	1	3	1 17/20	2	6	3 9/10	3	9	5 4/5	7	3	3 2/5
2	9	0	1	3	0 2/5	2	6	0 2/5	3	9	1	7	2	2 2/5
2	9	6	1	2	6 4/5	2	5	5 4/5	3	8	4 1/5	7	1	0 2/5
2	10	0	1	2	5 1/5	2	5	2 2/5	3	8	0	7	0	0
2	10	6	1	2	3 3/5	2	4	7 2/5	3	7	3 1/5	6	14	7
2	11	0	1	2	2 7/10	2	4	4 2/5	3	6	7	6	13	6 1/5
2	11	6	1	2	0 17/20	2	4	1 2/5	3	6	2 4/5	6	12	5 1/5
2	12	0	1	1	7 7/10	2	3	7 1/5	3	5	6 1/5	6	11	5 1/5
2	12	6	1	1	6 1/5	2	3	4 1/5	3	5	2 2/5	6	10	5 1/5
2	13	0	1	1	4 2/5	2	3	1 3/5	3	4	6 1/5	6	9	5
2	13	6	1	1	3 1/5	2	2	7	3	4	2 2/5	6	8	5 1/5
2	14	0	1	2	2 4/5	2	2	4 1/5	3	3	6 4/5	6	7	5 1/5
2	14	6	1	1	1	2	2	2	3	3	3	6	6	6
2	15	0	1	0	7 4/5	2	1	7 1/5	3	2	7 1/5	6	5	6 1/5
2	15	6	1	0	6 1/5	2	1	5	3	2	3 4/5	6	4	7
2	16	0	1	0	5 1/5	2	1	2 3/5	3	2	0	6	4	0
2	16	6	1	0	4	2	1	0	3	1	4	6	3	0 1/5
2	17	0	1	0	2 3/4	2	0	5 11/20	3	1	0 4/5	6	2	1 1/5
2	17	6	1	0	1 4/5	2	0	3 2/5	3	0	5 1/5	6	1	3
2	18	0	1	0	0 14/15	2	0	1 1/5	3	0	2	6	0	4 1/5
2	18	6	0	15	7 1/5	1	15	7 1/5	2	15	6 1/5	5	15	5 1/5
2	19	0	0	15	6 2/5	1	15	5	2	15	3 4/5	5	14	7 1/5
2	19	6	0	15	5 1/5	1	15	2 13/20	2	15	0 3/5	5	14	0 1/5
3	0	0	0	15	4 2/5	1	15	0 1/5	2	14	5 1/5	5	13	2 1/5
3	0	6	0	15	3 1/5	1	14	7	2	14	2 1/5	5	12	5
3	1	0	0	15	2 7/10	1	14	4 7/10	2	13	7	5	11	6 1/5
3	1	6	0	15	1 9/10	1	14	2 1/5	2	13	4 1/5	5	11	0 1/5
3	2	0	0	15	0 7/10	1	14	0 1/5	2	13	1	5	10	2 1/5
3	2	6	0	14	7 7/10	1	13	6 13/20	2	12	6	5	9	4 1/5
3	3	0	0	14	6 1/5	1	13	5	2	12	3 1/5	5	8	7
3	3	6	0	14	5 2/5	1	13	3	2	12	0 3/5	5	8	1 1/5
3	4	0	0	14	4 1/5	1	13	1 1/5	2	11	6	5	7	4
3	4	6	0	14	3 1/5	1	12	7 1/5	2	11	3 1/5	5	6	6 1/5
3	5	0	0	14	2 1/5	1	12	5 1/5	2	11	0 1/5	5	6	1 1/5
3	5	6	0	14	1 17/20	1	12	3 2/5	2	10	5 4/5	5	5	3 1/5
3	6	0	0	14	1	1	12	2	2	10	3 1/5	5	4	0 2/5
3	6	6	0	14	0 1/10	1	12	0 1/5	2	10	0 2/5	5	4	1 1/5

Price.			2 Penny Loaf.			4 Penny Loaf.			6 Penny Loaf.			12 Penny Loaf.		
l.	s.	d.	lb.	oz.	dr.	lb.	oz.	dr.	lb.	oz.	dr.	lb.	oz.	dr.
3	7	0	0	13	7 4/9	1	11	6 8/9	2	9	6 1/3	5	3	4 4/9
3	7	6	0	13	6 11/12	1	11	5 8/9	2	9	3 5/6	5	2	7 7/9
3	8	0	0	13	5 22/36	1	11	3 11/18	2	8	1 1/2	5	2	2 7/9
3	8	6	0	13	4 8/9	1	11	1	2	8	5 1/3	5	1	3 1/3
3	9	0	0	13	4 1/8	1	11	0 1/9	2	8	4 1/6	5	1	1
3	9	6	0	13	3 2/3	1	10	6 2/3	2	8	2 2/3	5	0	4 2/3
3	10	0	0	13	2 3/8	1	10	5 1/3	2	8	0	5	0	0
3	10	6	0	13	1 8/9	1	10	3 17/18	2	7	5 5/6	4	15	3 1/3
3	11	0	0	13	1	1	10	2	2	7	3 2/3	4	14	6 2/3
3	11	6	0	13	0 1/2	1	10	0 1/2	2	7	1	4	14	2
3	12	0	0	12	7 1/3	1	9	7 1/3	2	6	7	4	13	6
3	12	6	0	12	7	1	9	6	2	6	5	4	13	2
3	13	0	0	12	6 8/17	1	9	4 4/9	2	6	2 2/3	4	12	5 1/3
3	13	6	0	12	5 12/17	1	9	3 1/9	2	6	0 1/3	4	12	1 1/3
3	14	0	0	12	4 8/9	1	9	1 1/3	2	5	6 2/3	4	11	5 1/3
3	14	6	0	12	4 1/18	1	9	0 1/18	2	5	4 2/3	4	11	1 1/3
3	15	0	0	12	3 5/9	1	8	7	2	5	2 2/3	4	10	5 1/3
3	15	6	0	12	2 7/9	1	8	5 7/9	2	5	0 2/3	4	10	1 1/3
3	16	0	0	12	2 2/9	1	8	4 2/9	2	4	6 2/3	4	9	5 1/3
3	16	6	0	12	1 5/9	1	8	3	2	4	4 2/3	4	9	1 1/3
3	17	0	0	12	0 8/9	1	8	1 7/9	2	4	2 2/3	4	8	5 1/3
3	17	6	0	12	0 1/3	1	8	0 2/3	2	4	1	4	8	2
3	18	0	0	11	7 2/3	1	7	7 1/3	2	3	7	4	7	6
3	18	6	0	11	7 1/9	1	7	7	2	3	5 2/3	4	7	3 1/3
3	19	0	0	11	6 4/9	1	7	4 4/9	2	3	3 1/3	4	6	6 2/3
3	19	6	0	11	5 8/9	1	7	3 1/9	2	3	1 1/3	4	6	3 1/3
4	0	0	0	11	5 1/3	1	7	2 2/3	2	3	0	4	6	0
4	0	6	0	11	4 11/12	1	7	1 5/6	2	2	6 2/3	4	5	5 1/2
4	1	0	0	11	4 5/9	1	7	0 1/3	2	2	4 1/2	4	5	1
4	1	6	0	11	3 7/9	1	6	7	2	2	2 1/2	4	4	5
4	2	0	0	11	3	1	6	6	2	2	1	4	4	2
4	2	6	0	11	2 2/9	1	6	5	2	1	7 1/3	4	3	7
4	3	0	0	11	1 17/18	1	6	3 5/9	2	1	5 5/6	4	3	3 1/3
4	3	6	0	11	1 1/2	1	6	3	2	1	4 1/2	4	3	1
4	4	0	0	11	0 4/9	1	6	1 7/9	2	1	1 1/3	4	2	5 1/3
4	4	6	0	11	0 1/3	1	6	0 2/3	2	1	1	4	2	2
4	5	0	0	10	7 7/8	1	5	7 7/8	2	0	7 1/2	4	1	7
4	5	6	0	10	7 1/9	1	5	6 5/9	2	0	6	4	1	4
4	6	0	0	10	6 7/9	1	5	5 1/9	2	0	4 1/3	4	1	0 2/3
4	6	6	0	10	6 1/3	1	5	4 2/3	2	0	3	4	0	6
4	7	0	0	10	5 5/8	1	5	3 3/4	2	0	1 1/2	4	0	3
4	7	6	0	10	5 1/9	1	5	2 7/9	2	0	0	4	0	0
4	8	0	0	10	4 8/9	1	5	1 5/9	1	15	6 1/2	3	15	5
4	8	6	0	10	4 1/9	1	5	0 1/3	1	15	5	3	15	2
4	9	0	0	10	3 5/8	1	4	7 3/4	1	15	3 1/2	3	14	7
4	9	6	0	10	3 1/9	1	4	6 5/9	1	15	2 1/2	3	14	4 1/3
4	10	0	0	10	2 17/18	1	4	5 1/9	1	15	0 1/2	3	14	1 1/3
4	10	6	0	10	2 1/2	1	4	5	1	14	7 1/2	3	13	7
4	11	0	0	10	2	1	4	4	1	14	6	3	13	4
4	11	6	0	10	1 13/18	1	4	3 1/9	1	14	5 1/2	3	13	2 1/3

Price.			2 Penny Loaf.			4 Penny Loaf.			6 Penny Loaf.			12 Penny Loaf.		
l.	s.	d.	lb.	oz.	dr.	lb.	oz.	dr.	lb.	oz.	dr.	lb.	oz.	dr.
4	12	0	0	10	1	1	4	2	1	14	3 1/2	3	12	6 1/2
4	12	6	0	10	0 13/16	1	4	1 3/8	1	14	2 1/8	3	12	4 1/2
4	13	0	0	10	0 5/16	1	4	0 3/4	1	14	0 3/8	3	12	1 3/4
4	13	6	0	9	7 5/8	1	3	7 3/4	1	13	7 1/2	3	11	7
4	14	0	0	9	7 7/12	1	3	7 1/8	1	13	6 3/4	3	11	5 1/4
4	14	6	0	9	7	1	3	6	1	13	5	3	11	2
4	15	0	0	9	6 7/12	1	3	5 1/2	1	13	3 1/2	3	10	7 1/2
4	15	6	0	9	6 1/4	1	3	4 1/2	1	13	2 1/2	3	10	5
4	16	0	0	9	5 7/12	1	3	3 1/2	1	13	1 1/2	3	10	2 3/4
4	16	6	0	9	5 1/4	1	3	2 1/2	1	13	0	3	10	0
4	17	0	0	9	4 11/12	1	3	1 11/12	1	12	6 7/8	3	9	5 1/2
4	17	6	0	9	4 7/12	1	3	1 1/8	1	12	5 3/4	3	9	3 1/2
4	18	0	0	9	4 1/4	1	3	0 1/4	1	12	4 5/8	3	9	1
4	18	6	0	9	3 11/12	1	2	7 1/2	1	12	3 1/2	3	8	6 1/4
4	19	0	0	9	3 7/12	1	2	6 3/4	1	12	2 1/4	3	8	4 1/2
4	19	6	0	9	3	1	2	6	1	12	1 1/8	3	8	2 1/4
5	0	0	0	9	2 3/4	1	2	5 1/2	1	12	0	3	8	0

AN

A. D. 1777-8.

CHAP. XVIII.

An act for the further encouragement of the whale fisheries carried on from Ireland.

WHEREAS a valuable whale fishery has lately been discovered in the seas to the southward of the latitude of forty four degrees north, and your Majesty's loyal subjects, the commons of Ireland in parliament assembled, being desirous to secure a share in the benefits of the said fishery to such of your Majesty's subjects, as should carry on the same from this kingdom, on the twenty sixth of March one thousand seven hundred and seventy six did come to several resolutions, viz. that the extension of the whale fishery of Ireland was an object highly deserving the encouragement of parliament; that the most effectual means of encouraging the said fisheries would be by bounties upon ships, employed in the whale fishery in such seas, as lie to the southward of the limits of those seas, in which the whale fishery is at present encouraged; and that the said bounties should be granted for a number of years certain, and be made payable upon such ships in proportion to their tonnage respectively; that the said subject should be taken into consideration early in the then next session of parliament; that an humble address should be presented to his excellency the lord lieutenant to lay before your Majesty the humble desire of the commons, that your Majesty would be graciously pleased to grant a bounty of forty shillings *per* ton to the masters or owners of such British or Irish ships, as should be fitted out from any port in this kingdom, and proceed upon the whale fishery in any of the said seas, from the first day of August one thousand seven hundred and seventy six to the first day of August one thousand seven hundred and seventy nine inclusive, on landing in this kingdom all such whale fins, oil, or blubber of whales, seal oil, seal skins, or other production of seals, or other fish or creatures, as shall be caught by the crews of such ships in such seas, subject to such restrictions and regulations as your Majesty in your great wisdom should think proper to make, and to assure your Majesty that your commons would make good the same: be it therefore enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the first day of August next, in

Resolutions by the commons 26 *March* 1776;

and address for a bounty 40*s. per* ton;

that the commons would make good the same,

from 1st *day* next bounties here- in mentioned granted,

A. D. 1777-8. Chap. 18.

in lieu and ſtead of the bounties ſo granted by his Majeſty, the ſeveral and reſpective bounties herein after mentioned ſhall be paid and allowed under the ſeveral rules and reſtrictions herein after expreſſed and directed, that is to ſay, every Britiſh or Iriſh ſhip or veſſel, that ſhall within the time limited by this act proceed from any port of Ireland on the whale fiſhery to any ſeas, wherein the whale fiſhery is uſually carried on, ſouth of the latitude of forty four degrees north, manned and navigated by crews, whereof the captain or maſter and three fourths at the leaſt of the mariners ſhall be Britiſh ſubjects, ſhall, before ſhe proceed on ſuch voyage, or be intitled to the benefit of this act, be viſited by the proper officer or officers of his Majeſty's revenues belonging to ſuch port, who ſhall examine into ſuch ſhip or veſſel, and take an account of the tonnage thereof by admeaſurement, and ſhall certify ſuch his or their viſitation, examination, and admeaſurement, to the chief commiſſioners of his Majeſty's revenues in this kingdom; and if it appear by the certificate of ſuch officer or officers, that ſhe hath on board ſuch a number of men, proviſions, boats, fiſhing lines, and inſtruments to be uſed in ſuch fiſhing, as herein after are mentioned, that ſhe is ſtrongly built, and otherwiſe a proper ſhip for ſuch voyage and fiſhery, and hath on board among her crew a ſufficient number of harpooners, ſteerſmen, line managers, who before have been employed in ſuch voyages (the names of ſuch perſons to be contained in ſuch certificate,) and if it further appear by the oath of one or more owner or owners, and of the maſter or chief officer of ſuch ſhip, written at the foot of ſuch certificate, and made before the collector or comptroller of ſuch port (who are hereby impowered and required to adminiſter the ſame) that it is really and truly their firm purpoſe and determined reſolution, that ſuch ſhip ſhall, as ſoon as licence ſhall be granted, forthwith proceed, ſo manned, furniſhed, and accoutred, on a voyage to the ſouthward of forty four degrees north latitude, in ſuch ſeas as in ſuch oath ſhall be expreſſed, and there in the then approaching ſeaſon to uſe the utmoſt endeavour of themſelves and their ſhip's company to take whales, or other creatures living in the ſea, and on no other deſign or view of profit in ſuch voyage, and to import the whale fins, oil, and blubber thereof into this kingdom of Ireland (naming the port to which it is their intention to return); and if the maſter, after ſuch certificate had and oath made, do alſo become bound with two ſufficient ſecurities unto his Majeſty, his heirs and ſucceſſors, in the penalty of ſuch ſum as ſhall be equal to treble the bounty intended

Britiſh or *Iriſh* ſhips from *Iriſh* port on whale fiſhery, ſouth of 44 degrees north the captain and 3-4ths *Britiſh*, firſt viſited by the revenue officer,

tonnage admeaſured, certificate thereof to the commiſſioners.

and the number of men, proviſions, fiſhing inſtruments, &c.

ſtrong built, and otherwiſe proper,

with harpooners, ſteerſmen, and line-managers before employed, (naming them,)

and oath of owners and maſter at the foot of intent to proceed next ſeaſon on ſuch voyage to take whales, &c. and no other deſign, and import fins, oil, and blubber to *Ireland*, naming the port,

and bond with 2 ſureties in treble the bounty, in force 3 years,

intended by this act, which bond the ſaid collector with the approbation of the comptroller is hereby required to take, and is to be in force for the term of three years againſt the maſter and ſureties, for the faithful dealing of the ſaid maſter and ſhip's company in regard to the ſaid ſhip and voyage, then and in all ſuch caſes it ſhall and may be lawful for any three or more of the chief commiſſioners of his Majeſty's revenue for the time being, on receiving ſuch certificates and oaths made, and being certified by them by the collector and comptroller of ſuch port that ſufficient ſecurity hath been given as aforeſaid, to give and grant, and they are hereby required to give and grant, to the maſter and owners of ſuch ſhips full licence and authority to proceed on ſuch voyage as aforeſaid.

3 commiſſioners thereon to licence to proceed.

II. And to prevent any diſputes that may ariſe, whether a ſhip be properly qualified and duly fitted out for this whale fiſhery according to the true intent and meaning of this act, and intitled to a certificate thereof from the cuſtom houſe officers; be it hereby enacted by the authority aforeſaid, that every ſhip of the burthen of two hundred tons, deſigned for this fiſhery, ſhall and is hereby required to have on board forty fiſhing lines of one hundred and twenty fathom each, forty harpoon irons, four boats with ſix men, including a harpooner, a ſteerſman, and a line manager to each boat, making in the whole twenty four men beſides the maſter and ſurgeon, with ſix months proviſions at the leaſt for ſuch number of men; and every ſhip of larger burthen an increaſe of ſix men, one boat, ten ſuch lines, and ten harpoon irons more for every fifty tons above the ſaid two hundred tons, together with proviſions in proportion; and every ſhip, which ſhall be ſo employed in the ſaid fiſhery, ſhall have on board an apprentice indentured for the ſpace of three years at the leaſt for every fifty tons burthen, which ſhall be accounted as one of the number of men required to be on board ſuch ſhip as aforeſaid.

Ships of 200 tons to have 40 lines of 120 fathom, 40 harpoons, 4 boats with 6 men, &c. and 6 months proviſion,

an increaſe for larger ſhips,

an apprentice indentured 3 years.

III. And be it further enacted by the authority aforeſaid, that on the return of ſuch ſhip to the port, to which the maſter and mate declared on oath their intention to return, the proper officers of the revenue at ſuch port ſhall immediately repair on board, and view the condition of ſuch ſhip and her lading, and certify the ſame together with their obſervations thereon, as alſo the real tonnage of the ſaid ſhip; and the ſaid officers are alſo to take an account or ſchedule of the names of the maſter, mate, and other perſons aboard, diſtinguiſhing therein the harpooners and perſons more immediately employed in the ſaid fiſhery,

Officers immediately on return ſhall view the ſhip and lading, and certify,

with the tonnage, and names on board, diſtinguiſhing harpooners, &c.

A. D. 1777-8. Chap. 18.

fiſhery, and to certify the ſame; and the maſter and mate ſhall make oath before the collector and comptroller, who are hereby impowered and required to adminiſter the ſame, on the back of or annexed to the licence granted as aforeſaid, which they are hereby then required to deliver up, that they did in purſuance thereof, mentioning the day of their departure, proceed on a voyage directly to the places aforeſaid, and have not ſince been on any other voyage, or purſued any other deſign or view of profit, and that they did there (mentioning the time of their ſtay on thoſe ſeas) uſe the utmoſt endeavour of themſelves and their ſhip's company to take whales and other creatures living in thoſe ſeas, and all the whale fins, oil, and blubber, imported, if any in ſuch ſhip was really and *bona fide* caught and taken in the ſaid ſeas by the crew of ſuch ſhip only, or with the aſſiſtance of the crew of ſome other Britiſh or Iriſh ſhip, licenced for that voyage purſuant to the directions of this act; all which ſchedule, certificate, licence, and oath, ſhall be tranſmitted by the collector and comptroller of ſuch port to the chief commiſſioners of his Majeſty's revenues in Dublin; and ſuch commiſſioners being fully ſatisfied of the faithful dealings of the maſter, and other perſons employed in ſuch ſhips, with reſpect to ſuch voyage and fiſhery, ſhall on demand cauſe payment to be made to the maſter or owners, or to his or their aſſigns, by the collector of the port of Dublin, the bounty or premium following according to the admeaſurement of ſuch ſhip, duly certified as aforeſaid, that is to ſay, for every ſuch ſhip, as ſhall proceed on the ſaid fiſhery from the firſt day of Auguſt next to the firſt day of Auguſt one thouſand ſeven hundred and eighty four, the ſum of forty ſhillings *per* ton; and for every ſuch ſhip, as ſhall proceed on the ſaid fiſhery from the firſt day of Auguſt one thouſand ſeven hundred and eighty four to the firſt day of Auguſt one thouſand ſeven hundred and ninety, the ſum of thirty ſhillings *per* ton.

oath by maſter and mate upon or annexed to licence, then delivered up,

all tranſmitted to commiſſioners.

payment of bounty to maſter or owner by *Dublin* collector by admeaſurement certified,

40s. *per* ton to 1ſt *Aug.* 1784,

30s. to 1ſt *Aug.* 1790.

IV. Provided always, and be it further enacted by the authority aforeſaid, that no perſon or perſons ſhall be allowed or intitled to receive the bounty herein before granted for any ſhip, which ſhall proceed upon the ſaid whale fiſhery from any port of this kingdom after the ſaid firſt day of Auguſt next, unleſs ſuch ſhip ſhall ſail from the port, when ſhe ſhall be ſurveyed and cleared, directly on her intended fiſhery on or before the firſt day of October then following, and ſhall continue with her crew in the ſaid ſeas diligently endeavouring to catch whales or other creatures living in thoſe ſeas, and ſhall not depart from thence before the firſt day of March next following, unleſs ſuch ſhip

After 1ſt *Aug.* next ſuch ſhip ſhall ſail directly on fiſhery by 1ſt *Oct.*

and continue in thoſe ſeas till 1ſt *March*,

ſhall

ſhall be laden with the blubber and fins of one whale caught by the crew thereof, or with the aſſiſtance of the crew of ſuch other licenced ſhip, before that time, or ſhall be forced by ſome unavoidable accident or neceſſity to depart ſooner from thoſe ſeas, which accident or neceſſity ſhall be verified on the oaths of the maſter and mate belonging to ſuch ſhip upon her return from the ſaid fiſhery before the collector and comptroller of the cuſtoms at the port, where ſhe ſhall arrive, who ſhall tranſmit the ſame, together with the ſchedule, licence, and other documents by this act required, to the chief commiſſioners of his Majeſty's revenues in this kingdom.

unleſs laden with fins, &c. of 1 whale, or forced to depart ſooner, verified on oath, tranſmitted with the documents to commiſſioners.

V. And be it enacted by the authority aforeſaid, that the ſaid commiſſioners of his Majeſty's revenues ſhall at the beginning of every ſeſſion of parliament lay before both houſes of parliament an account in writing, of what number of ſhips have been employed in the whale fiſhery, with their reſpective names and burthens, from whence they were fitted out, and at what port they were diſcharged, and alſo what quantity of oil or whale fins each ſhip ſhall have imported.

Commiſſioners to certify to both houſes, the ſhips, burthens, whence, and where diſcharged, and imports of each.

VI. And whereas it has been found by experience, that ſhips under the burthen of two hundred tons are fit for the whale fiſhery: be it enacted by the authority aforeſaid, that every owner or owners of any ſhip or ſhips under the burthen of two hundred tons, which ſhall be employed in the ſaid fiſhery, and which ſhall be provided with ſailors, boats, lines, and harpoons, in the ſame proportion to the number of tons in ſaid ſhip, as is hereby provided for ſhips of two hundred tons and upwards, and who have otherwiſe conformed themſelves in all reſpects to the rules and directions herein before preſcribed to the owners of ſhips of two hundred tons, ſhall be intitled to the ſaid bounty, as herein before limited, according to the admeaſurement of ſuch ſhip or ſhips reſpectively.

Ships under 200 tons, provided in proportion and conforming, intitled to bounty by the admeaſurement.

VII. Provided always, and that no ſhip to be employed in ſaid fiſhery, although ſhe be above the burthen of four hundred tons, ſhall be intitled to a larger bounty, than a ſhip of four hundred tons would be intitled to.

If above 400 tons, no larger bounty.

VIII. Provided alſo, that nothing herein contained ſhall extend to oblige the owner of any ſhip above four hundred tons in order to intitle him or them to the ſaid bounty to fit out, equip, and man any ſuch ſhip otherwiſe than as a ſhip of the burthen of four hundred tons only, as by this act required to be fitted out, equipped, and manned.

But not obliged to fit out otherwiſe than as of 400.

A. D. 1777-8.

IX. And be it enacted by the authority aforesaid, that the owner or owners of any ship employed or designed to be employed in the said fishery, to ensure the bounty which such owner or owners would be intitled to, upon the return of such ship to the port, to which the master and mate of such ship shall have declared upon oath their intention to return, and on performance of all other matters, directed and appointed by this present act to be performed for obtaining the said bounty.

CHAP. XIX.

An act for the better preservation of fish in rivers, lakes, and inland waters.

None, unless qualified, shall keep, or use net, engine, &c. (angling rods excepted) save makers or sellers and owners of rivers,

WHEREAS through a defect of the laws now in being there is not a sufficient provision made against taking and destroying fish in rivers, lakes, and inland waters; whereby many persons are tempted to neglect their trades and other occupations, and to use most destructive means of catching and killing them by damming rivers, and taking and destroying the breeding fish with nets, spears, gins, and other engines, whereby, if longer permitted, the several species of such fish are likely to be utterly annihilated in most parts of this kingdom, and his Majesty's peaceable and industrious subjects are exposed to imminent danger of having their houses, offices, and haggards set on fire by the dangerous practice of fishing at night by lights: for remedy whereof be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the twenty fourth day of June one thousand seven hundred and seventy eight no person or persons whatsoever, not qualified, except as herein mentioned, shall have, keep, or use any nett, leape, pische, gaff, spear, or lyster, or other engine, boat or curragh, (angling rods with lines and hooks excepted) other than the makers or sellers thereof, and the owners of rivers or of parts of rivers for the time being; and that it shall and may be lawful for any owner of any river or fishery, or of part of a river or fishery, and every person or persons by any owner or owners of any river or fishery, or of any part of a river or fishery, for that purpose appointed, to seize, detain, and keep to his and their own use and uses all and every such cott, boat, curragh, or float, nett, leape, pische, gaff, spear, or lyster, and other

seised and detained by owner of river or fishery,

other engine for catching fiſh, except as before excepted, which he or they ſhall find uſed or laid, or in the cuſtody or poſſeſſion of any perſon or perſons whatſoever, not qualified as herein mentioned, fiſhing in any river, or inland fiſhery, lake, or inland water whatſoever, without the conſent of the owner or owners thereof given under their hand; and for any perſon or perſons whatſoever, being thereunto authorized by warrant under the hand and ſeal of any juſtice of the peace of the ſame county, or county of the city or town, in the day time to ſearch the houſes, outhouſes, or other places, of any perſon hereby prohibited to have, keep, or uſe the ſame, as ſhall be ſuſpected to have or keep in his poſſeſſion or cuſtody any boat or curragh, nett, leape, piſche, gaff, ſpear, or lyſter, or other engine, except as before excepted, and the ſame, and every or any of them, to ſeize, detain, and keep, to his and their own uſe or uſes, or otherwiſe to cut in pieces and deſtroy as things by this law prohibited to be kept by perſons of their condition.

houſes, &c. of perſons prohibited, ſuſpected of keeping, ſearched by day on juſtices warrant;

ſeiſed and detained, or deſtroyed.

II. And be it further enacted by the authority aforeſaid, that if any perſon or perſons after the ſaid twenty fourth day of June one thouſand ſeven hundred and ſeventy eight ſhall kill, take, or deſtroy, any carp, tench, bream, roach, perch, eel, pike, trout, cray fiſh, or any other fiſh, in or out of any pond, pool, canal, or ſtew, wherein the ſame are kept, and wherein he or they have no property, without the conſent or licence of the owner or owners of ſuch pond, pool, canal, or ſtew, and be thereof convicted on the oath of one credible witneſs before one juſtice of the peace of the county or juriſdiction, where the fact ſhall be committed, ſhall forfeit for every ſuch offence a ſum not leſs than five pounds, nor more than ten pounds, at the diſcretion of ſuch juſtice; which forfeiture ſhall go to the informer, proſecutor, or other perſons, as the owner of ſuch pond or ſtew ſhall chuſe, to be levied by diſtreſs and ſale of the goods and chattles of ſuch perſon ſo offending againſt this act by warrant of ſuch juſtices; and for want of ſuch diſtreſs the offender ſhall be committed to the county gaol, there to remain without bail or mainprize for any time not exceeding ſix calendar months, nor leſs than three calendar months, as his committal by ſuch juſtices ſhall ſpecify.

To take fiſh in pond, canal, or ſtew, wherein no property, on 1 witneſs before a juſtice, not under 5l. nor above 10l.

to informer or as owner chuſes, by diſtreſs and ſale,

or impriſoned not above 6 months, nor under 3.

III. And in order to deter idle and diſorderly perſons from fiſhing by night with lights, boats, curraghs, ſpears, ſnares, netts, gins, or any engine whatſoever, be it enacted by the authority aforeſaid, that if any perſon whatſoever ſhall be convicted on the oath of one credible witneſs before any juſtice of the peace of

Fiſhing by night with lights, engine, &c. (ſave rods and lines) not above 5l. nor under 2l.

A. D. 1777-8. Chap. 19.

of the county or juriſdiction, where the offence ſhall be committed, of fiſhing by night with lights, or boats, curraghs, cotts, or floats, with ſpears, netts, ſnares, gins, or any engine whatſoever, (except with rods and lines) ſuch perſon ſo convicted ſhall forfeit any ſum not more than five pounds, nor leſs than two pounds, at the diſcretion of ſuch juſtice, to be levied off the goods and chattles of ſuch offender by the warrant of the ſaid juſtices, which forfeiture ſhall be paid to the informer or proſecutor: and in caſe no diſtreſs ſhall be found, ſuch offender ſhall be committed to the county gaol by ſuch juſtice, there to remain without bail or mainprize any time not exceeding ſix calendar months, nor leſs than three calendar months, as his committal by ſuch juſtice ſhall ſpecify.

to informer,

on no diſtreſs, like impriſonment.

IV. And whereas the fiſh in the rivers of this kingdom are frequently poiſoned and deſtroyed by throwing waſte, dye ſtuffs, lime, flax, hemp, and other poiſonous and noxious ingredients into the ſaid rivers: for remedy whereof be it enacted by the authority aforeſaid, that no perſon or perſons whatſoever ſhall from and after the paſſing of this act throw or empty any waſte, dye ſtuffs, lime, flax, hemp, or any other kind of noxious or poiſonous ſubſtance into any river; and if any perſon ſhall ſo offend, he, ſhe, or they ſhall forfeit for every ſuch offence the ſum of five pounds, to be levied of the goods and chattles of ſuch offender, to be recovered in ſuch manner as the other penalties preſcribed by this act are recoverable; one moiety of ſuch penalty to be given to the poor of the pariſh wherein ſuch offence ſhall be committed, and the other to the firſt real informer of ſuch offence; and in caſe no diſtreſs ſufficient to anſwer the ſaid penalty can be found, that the offender ſhall in ſuch caſe be committed to the county gaol, there to remain without bail or mainprize for any time not exceeding three calendar months, as his committal by ſuch juſtices, as ſhall adjudge the ſaid penalty, ſhall ſpecify.

No noxious ſubſtance thrown into any river,

penalty 5l. to poor and 1ſt real informer,

or impriſoned not above 3 months.

V. And whereas great quantities of trouts are taken and killed in the ſeveral rivers running into and from the ſeveral lakes in this kingdom from the firſt day of October to the firſt day of January, which is the ſeaſon, during which trouts depoſit their ſpawn in ſaid ſeveral rivers: be it enacted by the authority aforeſaid, that no perſon whatſoever ſhall kill, take, or deſtroy any trout by the means of dams or fiſh houſes, commonly called fiſh ponds, or by nets or other engines, (angling excepted) from the firſt day of October to the firſt of January; and that every perſon ſo offending in this reſpect ſhall forfeit the ſum of five pounds

No trout taken (angling excepted) from 1ſt *Oct.* to 1ſt *Jan.*

penalty 5l.

pounds for each offence; the half to be paid to the poor of the parish wherein such offence shall be committed, and the other to the informer; said penalty to be recovered or levied in the manner before mentioned in this act; and in case no distress sufficient to answer the said penalty shall be found, the offender shall in such case be committed to the county gaol, there to remain without bail or mainprize for any time not exceeding three calendar months, as his committal by such justice, as shall adjudge the said penalty, shall specify.

to the poor and informer, or imprisoned, not above 3 months.

VI. And whereas in the river Bandon salmon fish are in good season the whole year, except in the months of November, December, January, and February: be it enacted by the authority aforesaid, That proprietors of fisheries on said river, their heirs or assigns, shall have liberty at all times from the twentieth of March to the twentieth of October in each year to take with nets, or in any other legal manner, all such salmon fish without incurring any penalty imposed by any former act of Parliament.

Proprietors of fisheries in the Bandon may take salmon in legal manner from 20 March to 20 Oct. without penalties by former acts.

VII. Whereas the fisheries of Loughneagh, Lougherne, and of other loughs, and of the several rivers flowing thereto and therefrom, are greatly injured by large draught nets with ground ropes and sinkers drawn therein from the twenty fifth day of August to the twenty fifth day of December, by persons pretending to fish for pollens: be it enacted by the authority aforesaid, That it shall not be lawful for any person or persons on any pretence whatsoever to fish with draught or other nets in the said loughs or rivers, or any of them, or in any of the bays thereof from the twelfth day of August until the first day of January in any year; and if any person or persons shall herein offend, and be thereof convicted by the oath of one or more credible witness or witnesses before any justice of the peace, such person or persons shall forfeit the nets and other implements used by him, and also five pounds for every such offence; which sum the said justice of the peace is hereby impowered to levy by his warrant; and for want of distress for this purpose shall commit each of the offenders to prison for any time not exceeding six months.

None to fish with nets in Loughneagh, Lougherne, and other loughs, rivers or bays thereof, from 12 Aug. to 1 Jan.

nets, &c. forfeited and 5l.

if no distress, imprisoned not above 6 months.

VIII. And whereas great quantities of salmon fry are obstructed from returning to the sea, and destroyed at the tails of mill-streams by means of dams and other obstructions made across the streams under the water wheels of said mills, which cannot be done without the consent or knowledge of the proprietors, millers, or principal acting persons therein: be it enacted by the authority aforesaid, That if any such dams or obstructions are discovered, or any implement or instrument used at said places to

Dams, obstructions, or implements to destroy salmon fry, the miller, &c. where found, shall forfeit 5l.

obstruct or destroy the salmon fry, the proprietor, miller, or principal acting person of such mill, where such dams or obstructions are made, or such implements found, shall on proof thereof by one or more credible witness or witnesses before any justice of the peace forfeit the sum of five pounds, to be recovered in such manner as the other penalties in this act are recoverable.

recovered as other penalties in this act.

Constable, &c. not executing warrant, fined not above 5*l*.

IX. And be it enacted by the authority aforesaid, That if any constable or other officer, to whom the justices of the peace are by this act impowered or directed to issue their warrants for the purposes herein before mentioned, shall refuse or delay to execute such warrants, the justices issuing such warrants are hereby impowered to fine such constable or officer for every such offence any sum not exceeding five pounds, to be levied by distress and sale of the offender's goods, and for want of sufficient distress to commit such constable or officer to prison for any time not exceeding three months; the said fine to be levied on the constable for refusing to execute the warrant by a special constable, bailiff, or peace officer appointed by the justice for that purpose.

if no distress 3 months imprisoned,

levied by special bailiff.

Sea fish nets and lines cured with tar and oil,

X. And whereas there is a very pernicious practice all round the west and north west coasts of Ireland of tanning or barking of nets, which practice is not only of little effect in regard to the first intention of preserving said nets, but on the contrary of infinite detriment to the growth of young trees, and destruction of plantations, through the villainous practice of stripping trees merely for the bark thereof in order to tan or bark nets for the herring, salmon, and other fisheries, notwithstanding there is a much more efficacious method of curing of nets less expensive, and in no shape detrimental to plantations, by curing said nets with tar and oil, which nets so cured may lie for a month wet without getting damage, whereas bark cured nets must be dried daily, or they will rot: be it therefore enacted by the authority aforesaid, That all nets for taking herrings, salmon, or any sea fish, and all fishing lines cured after the passing of this act, shall be cured with tar and oil, and not barked or tanned, under penalty of the forfeiture of all such nets to the informer upon conviction before a justice of the peace.

not barked or tanned,

or forfeited to informer.

Proof on owner of being made before.

XI. And be it further enacted by the authority aforesaid, That all nets found tanned, and not tar and oil cured, the proof shall lie on the owner of said nets, that they were made prior to the passing of this act, or that they are nets that were made and cured before brought to the aforesaid west or north west coast; in failure of such proof all such nets to be forfeited as aforesaid.

XII. And

XII. And be it further enacted by the authority aforesaid, That in case any fisherman, net-maker, or any other person or persons, shall be found barking of any tree or trees for the purpose of tanning of nets or any other purpose clandestinely or without proper authority, such offender shall for every such offence forfeit the sum of five pounds, recoverable before a justice upon the oath of one credible witness, wholly to the use of the informer as aforesaid; and in default of payment to be committed by a justice's warrant to the county gaol for any time not exceeding six months, unless the said forfeiture shall be paid sooner.

Barking trees for tanning nets or other purpose, without proper authority, 5*l.* to informer, or imprisoned not above 6 months.

XIII. Provided, That no person or persons shall be convicted of any offence against this statute, unless the prosecution be commenced within three calendar months, after such offence shall be alledged to be committed.

Prosecutions under this act in three months after offence alledged.

XIV. Provided also, That it shall and may be lawful for any person, convicted before such justice of any offence against this statute, to appeal to the next general quarter sessions of the peace to be held in and for the county or jurisdiction, where the offence shall be committed; such person so convicted entering into recognizance before such justices with two sufficient securities to be bound in the sum of ten pounds each, that the person so convicted shall appear at such quarter sessions, and abide by the judgment of the court; and in case such judgment of the said justices shall be affirmed at the said quarter sessions, then such two sureties, or one of them, shall pay, over and above the forfeiture adjudged by such justices, the usual and legal fees unto such officers of the court as shall be intitled to them, and shall moreover pay unto the prosecutor, over and above the forfeiture adjudged by such justices, such costs and reasonable charges as the court shall think fit, to make amends to such prosecutor for the trouble and expences he shall be at in attending such appeal.

Appeal to next sessions, on recognizance and 2 sureties 10*l.* each, if affirmed, the legal fees paid, costs, and reasonable charges.

XV. Provided also, That this act, or any thing therein contained, shall not extend or be construed to extend to abridge any fisherman, or his apprentice or apprentices lawfully authorized, to fish in navigable rivers or waters with lawful nets and engines; but that every of them shall and may, according to the laws and orders made and to be made and settled for the good order, rule, and government of such navigable rivers and waters, use the trade of fishing, as they lawfully might have done before the making of this act, any thing herein contained to the contrary notwithstanding.

Not to restrain fishermen or their apprentices with lawful nets and engines as before.

A. D. 1777-8.

Defendants may plead general iſſue, &c.

XVI. Provided alſo, That if any perſon or perſons whatſoever ſhall be ſued or proſecuted for or by reaſon of any matter or thing, which he or they ſhall do in purſuance of this act, it may and ſhall be lawful to and for the perſon or perſons, ſo ſued or proſecuted, to plead the general iſſue, and to give the ſpecial matter in evidence; and if the verdict ſhall paſs for the defendant in ſuch action, or the plaintiff or plaintiffs become nonſuit, or ſuffer any diſcontinuance thereof, that in ſuch caſe the defendant or defendants ſhall have his or their treble coſts, which he or they ſhall have ſuſtained by ſuch action or ſuit, for which ſaid defendant or defendants ſhall have the like remedy as in other caſes, where coſts are given to the defendants.

and have treble coſts.

Continued 7 years from 24 June 1778, &c. and to 1787 by 21 & 22 G. 3. c. 40 and to 24 June 1784, by 23 & 24 G. 3. c. 40. ſ. 1.

XVII. Provided alſo, That this act ſhall continue and be in force from the twenty fourth day of June, in the year of our Lord one thouſand ſeven hundred and ſeventy eight, for the term of ſeven years, and until the end of the then next ſeſſion of Parliament, and no longer.

CHAP. XX.

Repealed by 25 G. 3. c. 35. ſ. 1.

An Act to explain and amend the Acts made for the Encouragement of the Fiſheries of this Kingdom, and for promoting the good Ends propoſed by ſaid Laws.

WHEREAS the extending and improving the fiſheries on the coaſt of Ireland is of great importance to this kingdom, as it not only adds conſiderably to the national wealth, but may moreover prove a fruitful nurſery of able ſeamen to the fleet of Great Britain: for the better encouragement of the ſaid fiſheries, be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the commencement of this act it ſhall and may be lawful to and for the inhabitants of this kingdom of Ireland at all times and ſeaſons of the year, when they ſhall think proper, freely to fiſh for, take, buy from fiſhermen, and cure any herrings, cod, and ling, or other ſort of white fiſh, in all and every part of the ſeas, channels, creeks, and bays, whereſoever ſuch fiſh are to be found, or can or may be taken on the coaſts of this kingdom; and that no perſon or perſons ſhall under any pretence whatſoever preſume to obſtruct or hinder any perſon or perſons from fiſhing in the places aforeſaid.

II. Provided, That no perſon by virtue of this act ſhall have liberty to fiſh or take herrings in the day time, or at any other time, or in any other manner, than is directed by the acts made for the encouragement of the fiſheries of this kingdom.

III. And whereas many difficulties attend the obtaining the bounty payable on the exportation of fiſh caught on the coaſts of this kingdom: in order therefore more effectually to anſwer the purpoſes for which ſaid bounty is granted, be it enacted by the authority aforeſaid, That upon ſufficient proof being made before the collector or other chief officer of the port, that ſuch fiſh, ſo entered for exportation, was caught on the coaſts of this kingdom, or within thirty five leagues of the ſame, and upon the maſter or other perſon having charge of the veſſel, in which any ſuch fiſh is to be exported, making oath that to the beſt of his knowledge or belief ſaid fiſh is not intended to be relanded, and that he will not permit or ſuffer ſaid fiſh or any part thereof to be relanded in this kingdom, unleſs in caſe of real diſtreſs to ſave the goods from periſhing, and alſo upon the owner or proprietor of ſaid fiſh becoming bound with two ſufficient ſureties unto his Majeſty, his heirs and ſucceſſors, in the penalty of ſuch ſum as ſhall be equal to treble the value of the bounties, he ſhall be intitled to, conditioned not to reland the fiſh intended to be exported in any port, haven, creek, or other places in Ireland, unleſs in caſe of diſtreſs, which ſhall be immediately made known to ſome one or more of the officers of the port neareſt to the place, where ſuch veſſel ſhall be ſtranded or put aſhore, which bond the collector of the port is hereby required and empowered to take, and the ſaid bond is hereby declared to be good and valid in law for the ſum contained therein, then and upon performance of theſe requiſites the owner or perſon ſhipping off ſuch fiſh ſhall in three months after the exportation thereof receive the bounties payable thereon from the collector of the port, from whence the ſame ſhall be exported, any thing in any other law or ſtatute to the contrary thereof in any wiſe notwithſtanding.

IV. And be it further enacted by the authority aforeſaid, That if any maſter or other perſon having charge of a veſſel, in which any fiſh ſhall be exported, and a bounty claimed for the ſame, ſhall reland or permit or ſuffer any fiſh or any part thereof to be relanded in this kingdom, unleſs in caſe of actual diſtreſs, ſuch maſter or other perſon having charge of ſaid veſſel ſhall forfeit treble the value of ſuch fiſh ſo relanded, or permitted or ſuffered to be relanded; and every ſeaman or other perſon, who ſhall aſſiſt in relanding the ſame, ſhall forfeit the ſum of ten pounds; ſaid penalties to be ſued for and recovered by the ſame ways and means

A. D. 1777-8. Chap. 20.

as penalties are recoverable by the act of the fourteenth and fifteenth of Charles the second, commonly called the act of excise.

V. And be it enacted by the authority aforesaid, That no owner or owners of any fish shall be intitled to the bounties given upon the exportation thereof, unless such fish shall be first landed in and afterwards exported from some port in this kingdom.

VI. And whereas the penalties, to which persons are liable by the laws now in force for the shooting or wetting nets for the taking herrings in the day time, have not been sufficient to restrain them from such practice, which has been found extremely detrimental to the herring fisheries on the coast of this kingdom: for the more effectual deterring all persons from committing such offences be it enacted by the authority aforesaid, That a penalty of twenty pounds shall be forfeited and paid by all and every the person or persons, who shall at any time hereafter shoot or wet any net or nets for the taking of herrings in the day time, or be in any wise aiding or assisting in the same, that such penalty shall and may be recovered against such person or persons upon complaint thereof before any justice of the peace of the county, next to the place where such offence shall be committed, or before any justice of the peace where such offender or offenders shall reside or be found, and shall and may be levied of the goods and chattles of such offender or offenders by warrant under the hand and seal of such justice of the peace, which penalty shall be for the use of the person who shall sue for the same; and in case such offender or offenders shall on demand refuse to pay such penalty to such justice of the peace, or the person whom he shall by his warrant impower to levy the same, and that no goods or chattles can be found of said offender or offenders sufficient to answer the same, that then it shall and may be lawful for such justice of the peace to cause the said offender or offenders to be apprehended and committed to the common gaol of the county, where such justice resides, there to remain without bail or mainprize for the space of six months, until he shall have paid such penalty.

VII. And inasmuch as persons are encouraged to the committing said offences from the opportunities, which they may have of escaping by water from the authority of such justice of the peace; be it enacted by the authority aforesaid, That it shall and may be lawful for the person or persons, impowered to execute the warrant of such justice or justices of the peace, to board any vessel, in which they may have just

just cause to suspect such offender or offenders to be harboured or concealed, and to apprehend such offender or offenders wherever he or they may be found, so as that he or they may be made to suffer the punishment aforesaid; and all magistrates and other peace officers, and also the officers of his Majesty's revenue, are hereby required to be aiding and assisting by all lawful means to the effectual carrying into execution the clauses aforesaid for preventing the aforesaid pernicious practice of fishing for or taking herrings in the day time, that is to say, between the first of August and the first of September from four o'clock in the morning till sun set, and between the first of October and first of August from sun rise to sun set.

VIII. And be it further enacted by the authority aforesaid, That from thenceforth any disputes or differences, which shall or may arise between the persons engaged on board any of the vessels employed in the fisheries of this kingdom and the owner or master thereof touching any demands which such persons may have against such owners or masters, for or on account of their wages or shares of the earnings of such vessels, where such demand does not exceed five pounds, and also all such complaints of such owners or masters against any of the persons or hands engaged on board said vessels for and on account of their absenting or withdrawing themselves from their duty and service on board said vessel, shall and may be determined by any of his Majesty's justices of the peace for the county, where such disputes arise, who are hereby impowered to give such and the like relief, and by such and the like remedies and means, and to inflict such and the like penalties and punishments, as they are impowered to do in all cases of disputes between masters and servants, or artificers and their employers, by all or any of the laws now in being.

IX. Provided always and be it further enacted by the authority aforesaid, That nothing herein contained shall extend or be construed to extend to restrain, prevent, or hinder any officer or officers of his Majesty's revenue, who shall from time to time be deputed or appointed thereunto by the chief commissioners of the excise for the time being, or the major part of them, from going on board and entering into any ship, buss, or other vessel whatsoever as well by night as by day arriving and coming into any port, harbour, haven, creek, or other places, and to continue there on board until such ship, buss, or other vessel shall be fully unladen and discharged, or again reloaded, in pursuance of the powers mentioned in this act, but that it shall and may be lawful to and for such officer and officers to enter and go into any such ship, buss, or other vessel, to seize, survey, and make search

for any goods or commodities either put on board any ſuch ſhip, buſs, or other veſſel, or taken out, or carried away, or intended to be carried away, without due entry firſt had and made of the ſame, or payment of the duties due and payable thereon, and to ſeize, attach, and carry away the ſame, in the ſame manner to all intents and purpoſes, as may be done by any law, act or acts of Parliament, now in force in this kingdom; any thing herein contained to the contrary notwithſtanding.

X. And whereas by an act paſſed in the third year of the reign of his preſent Majeſty, entitled, *An act for the encouragement of the fiſheries of this kingdom*, a bounty is given of two ſhillings for every barrel containing thirty two gallons, wherein good ſound, and well cured white herrings ſhall be packed, upon the exportation thereof, as alſo a bounty of two ſhillings and ſix pence on every barrel of the ſame contents, wherein good, ſound, and well cured mackarel ſhall be packed, upon exportation thereof: be it further enacted by the authority aforeſaid, That the ſaid bounties ſhall be paid in proportion upon all ſuch herrings and makarel reſpectively, as ſhall be exported in caſks of a leſſer ſize than thirty two gallons, upon the exportation thereof.

XI. And to the end that the veſſels employed in the fiſheries of this kingdom may be the more readily known, and the maſters and crews of ſuch veſſels more eaſily brought to puniſhment for any offences committed by them or any of them againſt this act, or the other acts made for the encouragement of ſaid fiſheries, be it further enacted by the authority aforeſaid, That before any perſon ſhall be permitted to enter a veſſel in any cuſtom houſe for ſaid fiſheries, the owner of ſuch veſſel or his agent ſhall cauſe the name of ſaid veſſel and the port, to which ſhe belongs, to be painted in large characters with white lead and oil on the tranſum and quarters of ſaid veſſel, as alſo upon all boats and buoys belonging to the ſame; and the collector ſhall cauſe a number to be added to ſuch name, which number ſhall be inſerted in the entry and painted in like manner on ſaid veſſel and on the boats and buoys belonging to her, which names and number ſhall not be obliterated, but kept fair and legible during the time ſaid veſſel ſhall remain at ſaid fiſhery; and in caſe ſaid names and number ſhall not be kept fair and legible as aforeſaid, the maſter or chief officer of ſaid veſſel ſhall forfeit the ſum of five pounds ſterling, to be recovered and applied in the ſame manner as the other penalties in this act.

5 XII. And

III. And for the more regular keeping the journals of the proceedings of ſuch fiſhing veſſels, be it further enacted by the authority aforeſaid, that at the time any veſſel is entered for ſaid fiſheries, the collector or comptroller ſhall deliver to the maſter or chief officer of ſaid veſſel a blank journal book ſigned by the ſaid collector or comptroller, and ruled under diſtinct heads, in which ſaid maſter or chief officer ſhall enter an account of the proceedings of ſaid veſſel, the ſoundings upon the coaſt and fiſhing banks, the quantity of fiſh taken by ſaid veſſel, and the quantity bought, and the times when reſpectively; and ſaid maſter or chief officer ſhall make oath, that every proceeding contained in ſaid journal book (unleſs the ſame was immediately entered therein) was copied from the rough journal kept by him, and tranſcribed from thence into ſaid book, within eight days from the time ſuch proceeding had happened.

XIII. And for the better aſcertaining the quantity of herrings taken and bought, be it further enacted by the authority aforeſaid, That every veſſel at the time of her being entered for the fiſheries ſhall have on board two half barrels, each containing ſixteen gallons, with which ſhall be meaſured the herrings taken and bought by her; and the entry in the journal of the quantity of herrings taken and bought ſhall be by the number of barrels or half barrels, and not by tail or count.

XIV. And whereas a great number of ſmall boats proceed every year to the fiſheries on the coaſts of this kingdom, and from the irregular manner in which they ſhoot their nets the fiſhery is greatly injured, and the nets of other fiſhermen are much damaged, and the offenders cannot be diſcovered ſo as to be brought to juſtice: be it further enacted by the authority aforeſaid, That no boat ſhall proceed to ſaid fiſheries, unleſs the name of the ſkipper is painted in large characters with white lead and oil on the ſtern of ſaid boat, as alſo on the oars and buoys belonging to her; which boat, with the name of the ſkipper, ſhall be regiſtered with ſome one of his Majeſty's juſtices of the peace living in the barony, wherein ſaid ſkipper reſides: and in caſe any ſuch boat ſhall ſhoot any net, or take any fiſh, without having the ſkipper's name painted and being regiſtered as aforeſaid, the ſkipper of ſaid boat ſhall forfeit the ſum of forty ſhillings, to be recovered and applied in the ſame manner as the other penalties in this act; and any juſtice of the peace, with whom ſuch boats ſhall be ſo regiſtered, ſhall return an account of the ſame to the collector of the diſtrict, in which ſuch juſtice reſides, within one month after ſuch boats have been regiſtered as aforeſaid.

A. D. 1778. Chap. 20.

IV. And whereas the harbours on the coaſt of the county of Donegall have been materially injured by the irregular manner, wherein veſſels reſorting to the fiſheries thereon throw out and unlade their ballaſt: be it further enacted by the authority aforeſaid, that no veſſel ſhall throw out or diſcharge her ballaſt on any part of the ſaid coaſt to the ſouth weſt of the iſle of Arran, except at ſuch places (all above low water mark) as ſhall be directed and appointed from time to time by the ſurveyor of the diſtrict of Killibeggs, nor on any part of the ſaid coaſt to the north eaſt of the iſle of Arran, except at ſuch places (all above low water mark) as ſhall from time to time be directed and appointed by the tide ſurveyor of the port of Ballyrain; and the maſter or chief officer of any fiſhing veſſel, or the ſkipper of any fiſhing boat, who ſhall be convicted of having thrown out or diſcharged any ballaſt contrary to the directions of this act, ſhall forfeit the ſum of five pounds ſterling for every ſuch offence, to be recovered and applied in the ſame manner as the other penalties in this act are made recoverable and applicable.

VI. And be it further enacted by the authority aforeſaid, That any perſon, who ſhall drudge for or take any oyſters in any part of the lough of Carlingford between the bar of Carlingford and the caſtle of Narrow-water from and after the firſt Saturday in the month of March until the firſt Monday in the month of November in any year, ſhall forfeit the drudge net or other machine, with which the ſame ſhall be drudged for or taken, as alſo the ſum of forty ſhillings, to be recovered and applied in the ſame manner as the other forfeitures and penalties in this act.

VII. And be it further enacted by the authority aforeſaid, That the ſeveral penalties and forfeitures impoſed by this act, except where the ſame are otherwiſe appointed to be recovered, ſhall and may be recovered before any juſtice of peace of the county, where the offence is committed, or wherein the party or parties do reſide, and be levied by diſtreſs and ſale of his or their goods and chattles by warrant under the hand and ſeal of ſuch juſtice, before whom the offence ſhall be proved by confeſſion, or on the oath of one credible witneſs; which ſaid penalties and forfeitures, when recovered, ſhall go to the uſe of the perſon or perſons, who ſhall ſue for the ſame within twelve calendar months, next after the offence has been committed.

CHAP.

A. D. 1777.

CHAP. XXI.

An Act to explain and amend an Act passed in the third Year of the Reign of his present Majesty, entitled, An act for the better Regulation of the Linen and Hempen Manufactures.

WHEREAS by an act passed in the third year of the reign of his present Majesty, entitled, *An act for the better regulation of the linen and hempen manufactures*, it is amongst other things enacted, That from and after the first day of August one thousand seven hundred and sixty four, every person who shall sell and deliver to any one buyer at one time four or more peeks or any large quantity or parcel of flax seed or hemp seed for sowing, or in order to be sown, shall together with every such parcel delivered to the buyer in writing a certificate subscribed by such person, expressing truly the quantity and price of the seed so sold, and that the same was so sold in order to be sown, and, if the same shall be a foreign production, the port from whence the same was imported, and the name of the country where it grew, and the year of its growth, and, if such seed shall be of the produce of this kingdom, the name of the country where it grew, and the year of its growth, upon pain of forfeiting such seed as shall be so sold without such certificate as aforesaid, or the value or price thereof, and also the sum of three pounds for every hogshead thereof, and so in proportion for any lesser quantity; and if any such flax seed or hemp seed shall be of a different growth or age, from what shall be expressed in such certificate, the person, that shall have sold the same, shall forfeit the price or full value thereof to the person that shall have bought the same; and that from and after the said first day of August one thousand seven hundred and sixty four no person or persons shall sell, or offer to sell, or expose to sale, any bad, mixed, or damnified flax seed or hemp seed for sowing, or in order to be sown, upon pain of forfeiting such seed or the value thereof, and also the sum of three pounds sterling for every hogshead of such seed, and so in proportion for any lesser quantity: and whereas the said recited clauses have been attended with inconvenience to the publick, and it is found expedient to repeal the same: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present Parliament assembled, and by the authority of the same, That from and after the first day of June next the said clauses, and every

5 G. 3. c. 34. §. 6 & 7. repealed.

A. D. 1777-8. Chap. 21.

thing therein contained shall be repealed and made null and void.

Importer of hemp or flax seed, selling for sowing, shall with every parcel deliver to buyer a certificate if demanded, of the quantity and price, and to be sown, the port whence, country, and growth,

II. And for the better regulation of the linen and hempen manufactures be it further enacted by the authority aforesaid, That from and after the first day of August next every person, who shall import, or cause to be imported, into any port or place in this kingdom any flax seed or hemp seed, and shall sell and deliver to any one buyer at one time one or more hogshead or hogsheads of such flax seed or hemp seed for sowing, or in order to be sown, shall together with every such parcel deliver to the buyer a certificate in writing (if demanded) subscribed by such person, expressing truly the quantity and price of seed so imported and sold, and that the same was so imported and sold in order to be sown, and the port from whence the same was imported, and the name of the country where it grew, and the year of its growth, upon pain of forfeiting to the person, who shall have bought the same, such seed as shall be so imported and sold without such certificate as aforesaid, or the value or price thereof, and also the sum of three pounds for every hogshead thereof, and so in proportion for any lesser quantity, for which certificate the buyer shall give his receipt in writing to such importer; and if any such flax seed or hemp seed shall be of a different growth or age, from what shall be expressed in such certificate, the person, that shall have sold the same, shall forfeit the price or full value thereof, and also the further sum of three pounds for every hogshead thereof, and so in proportion for any lesser quantity, to the person that shall have bought the same; and that every person, except the importer, who shall sell and deliver to any one buyer at one time four or more pecks, or any larger quantity or parcel, of flax seed or hemp seed for sowing, or in order to be sown, shall together with every such parcel deliver to the buyer a certificate in writing (if demanded) subscribed by such person, expressing truly the quantity and price of the seed so sold, and that the same was so sold in order to be sown, and the name and place of abode of the person from whom he bought the same, and the name of the country where it grew, and the year of its growth, as certified to him by such person; and, if such seed shall be of the produce of this kingdom, the name of the country where it grew and year of its growth, upon pain of forfeiting to the person, who shall have bought the same, such seed as shall be so sold without such certificate as aforesaid, or the value or price thereof and also the sum of three pounds for every hogshead thereof, and so in proportion for any lesser quantity; for which certificate the buyer

or forfeited to buyer, or the value, and 3l. *per* hogshead,

receipt for certificate,

if of different growth or age, full value and further 3l. *per* hogshead to buyer,

vender, except importer, of 4 pecks or more at one time for sowing shall with every parcel give buyer certificate if demanded, as certified to him,

and if Irish the county and growth,

or forfeited or the value, and 3l. *per* hogshead,

buyer shall give a receipt to the seller, if required; and if any such flax seed or hemp seed shall be of a different growth or age, from what shall be expressed in such certificate, the person, that shall have sold the same shall forfeit the price or full value thereof, and also the further sum of three pounds for every hogshead thereof, and so in proportion for any lesser quantity, to the person that shall have bought the same; and that from and after the first day of August next no person or persons, whether the importer or others, shall sell or offer to sell or expose to sale, any bad, mixed, or damnified flax seed or hemp seed for sowing, or in order to be sowed, upon pain of forfeiting such seed, or the value thereof, and also a sum not exceeding three pounds, nor less than twenty shillings sterling, for every hogshead of such seed, and so in proportion for any lesser quantity, to the person or persons who shall have bought the same.

if of different growth or age, full value, and further 3*l.* *per* hogshead,

none to sell bad, mixed, or damnified seed for sowing,

or forfeited or value, and not under 3*l.* nor under 20*s.* *per* hogshead to buyer.

III. Provided always, that proof of the seed not having grown, or the crop being insufficient, shall not be in itself conclusive evidence of such seed having been bad, mixed, or damnified, so as to induce any penalty thereby on the importer or seller of said seed.

Proof of seed not grown, or crop insufficient, not conclusive so as to induce penalty.

IV. And be it enacted by the authority aforesaid, that from and after the first day of August next no bounty shall be paid on any flax seed or hemp seed imported into this kingdom, unless the importer shall produce to the collector or chief officer, where the same shall be imported, an affidavit or other solemn attestation of the person, who shall have shipped the same, declaring the quantity so by him shipped, and that the same was of the growth of the summer then next preceding, and was at the time of shipping good, sound, and merchantable flax seed and fit for sowing, to the best of his judgment; nor unless the importer shall also swear, or, being a quaker, affirm, that he verily believes the before recited affidavit or attestation to be really and *bona fide* the affidavit or attestation of the shipper of said seed, and believes the contents of it to be true, and that in case he shall discover any part of said flax seed or hemp seed to receive any damage or injury while in his possession, or by any means to be rendered unfit for sowing, that he will not sell the same for sowing, but will re-export the same or dispose thereof for the purpose of making oil, and that he will not give any false certificate to any buyer of said seed.

No bounty on import, unless shipper's affidavit or attestation produced of quantity, last summer's growth, sound, and fit for sowing,

and verified by importer's oath, and that if damaged he will not sell for sowing, but re-export, or dispose of for oil, and not give false certificate to buyer.

V. And be it further enacted by the authority aforesaid, that from and after the time aforesaid the collector or chief officer of port, into which any importation of flax seed or hemp seed shall be made, shall immediately after the landing of the same, and

Officer immediately after landing, and before bounty, shall convene 3,

A. D. 1777-8. Chap. 21.

before payment of the bounty, ſummon and convene, and he is hereby authorized and impowered ſo to do, three perſons (not importers of flax ſeed) ſuch as he ſhall judge beſt ſkilled in flax ſeed, to whom he is hereby required and impowered to adminiſter an oath, that they will to the beſt of their capacity give full and true judgment in reſpect to the ſoundneſs and quality of ſuch flax ſeed and hemp ſeed, as ſhall be produced to them, and declare in like manner, whether the ſame is or is not fit for the purpoſe of ſowing; and that the ſaid collector or chief officer ſhall produce to the ſaid ſeveral perſons ſuch caſk or caſks of flax ſeed or hemp ſeed, as ſhall be imported as aforeſaid; and then ſaid perſons ſhall report their judgment thereof to the ſaid collector or chief officer in writing, with their names ſubſcribed thereto; and if in ſaid report two or more of them ſhall declare, that they have viewed all and every caſk of the ſaid flax ſeed or hemp ſeed, expreſſing the number exhibited to them, and that they are of opinion, that the ſame is clean and of ſound and good quality, and fit for ſowing, that then the ſaid collector or chief officer ſhall, and he is hereby required and directed to, brand or otherwiſe mark at or near the bung hole each and every of the ſaid caſks with a mark, expreſſing the year and month the ſame ſhall have been ſo inſpected and approved of by the ſaid perſons ſo ſummoned and convened as aforeſaid; for every which brand or mark the ſum of ſix pence per caſk, and no more, is to be paid by the importer to the ſaid collector or chief officer ſo marking or branding the ſame; and that no bounty, granted by any laws now in being, ſhall be paid to the importer of any flax ſeed or hemp ſeed, which has not been firſt inſpected, reported, branded, or marked as aforeſaid.

not importers, ſwear them to judge, and produce the caſks,

their report ſubſcribed,

if 2 inſpecting approve, officer ſhall brand near the bung,

fee 6d. *per* caſk,

otherwiſe no bounty under any law.

VI. And be it further enacted by the authority aforeſaid, that from and after the time aforeſaid no flax ſeed or hemp ſeed, imported after ſaid time ſhall be ſold or expoſed to ſale for ſowing, except in the caſks in which the ſame hath been imported, duly branded or marked in manner as before mentioned; and if any vender thereof ſhall offend herein, or ſhall ſell or expoſe to ſale any flax ſeed or hemp ſeed in any caſk ſo branded or marked, other than the ſeed actually imported in the ſame, or ſhall ſell at any time, or in any manner, any bad, mixed, or damnified flax ſeed or hemp ſeed for ſowing, ſuch vender ſhall for every ſuch offence forfeit the ſaid flax ſeed or hemp ſeed or the value thereof, and alſo the ſum of three pounds for every hogſhead thereof, and ſo in proportion for any leſs quantity, to any perſon who ſhall ſue for the ſame; and if any collector or other officer of the

Sold only in ſaid caſks,

if other ſold or bad, or mixed, forfeited, or value, and 3l. *per* hogſhead to proſecutor,

customs shall so brand or mark any cask, before the flax seed or hemp seed therein imported shall have been so inspected, and reported to be of sound or good quality, or if any person or persons shall counterfeit said brand or mark on any cask or casks, every such collector, officer, or person, shall for each and every such offence forfeit the sum of ten pounds to any person, who shall sue for the same.

officer branding before inspection, or person counterfeiting, forfeit 10*l.* to prosecutor.

VII. And whereas by another act of parliament passed in the third year of the reign of his present Majesty, entitled, *An act for continuing the encouragement given by former acts of parliament to the flaxen and hempen manufactures*, in order to encourage the raising of flax seed in this kingdom a premium of one shilling a bushell was directed to be paid for every bushell of good, sound, merchantable flax seed of the growth of this kingdom, sent on shipboard from the southern part to the northern part thereof, which premium hath not proved effectual to answer the good purposes intended thereby: therefore be it further enacted by the authority aforesaid, that for the space of twenty one years, to be computed from the said first day of August one thousand seven hundred and seventy eight, a premium of two shillings a bushell shall be paid for every bushell of good, sound, clean, and merchantable flax seed of the growth of this kingdom sent on shipboard from the southern part of this kingdom to the northern part thereof, agreeable to and subject to the several regulations and restrictions in the said recited act mentioned.

2*s.* *per* bushel premium 21 years from 1st *August* 1778, for sound *Irish* flax seed shipped from south to north as by 3 *G.* 3. c. 12. s. 5.

VIII. And whereas by another clause in the said recited act of the third year of his present Majesty's reign, entitled, *An act for the better regulation of the linen and hempen manufactures*, it is enacted, that all offences or breaches, committed of or against any clause or article in the said recited act contained, except where the same are thereby particularly appointed to be heard and determined, and except where the penalty or forfeiture does or may exceed in value the sum of six pounds sterling, shall and may be heard and finally determined by the said trustees for the time being, or any one or more of them, or by any one or more justice or justices of the peace, or chief magistrate of any city or town corporate, within their respective jurisdictions, and that all offences or breaches committed of or against any clause or article in the said recited act contained, where the penalty or forfeiture does or may exceed in value the sum of six pounds sterling, except where the same are thereby particularly appointed to be heard and determined, shall and may be heard and finally determined by the said trustees of the linen and hempen manufactures for the time being

A. D. 1777-8. Chap. 21.

being, or any five or more of them; and that it ſhall and may be lawful to and for the ſaid ſeveral perſons, thereby impowered to hear and determine the ſaid offences, reſpectively to examine upon oath all and every ſuch witneſs and witneſſes, as ſhall be produced before them reſpectively, which oath they are thereby impowered reſpectively to adminiſter upon any complaint or information to him or them made of any offence or breach committed of or againſt the ſaid act, and to iſſue their warrants reſpectively to any one or more conſtable or conſtables, requiring and impowering him or them by diſtreſs and ſale of the offenders goods (the overplus whereof ſhall be rendered to the owner or owners thereof) to levy the reſpective penalties or forfeitures by ſuch offenders incurred, which when levied ſhall be paid to the real informer or proſecutor in all caſes, except where the ſame are thereby otherwiſe directed to be applied, firſt deducting thereout the ſum of two ſhillings in the pound, to be paid to the conſtable or conſtables for executing ſuch warrant; and in caſe no ſufficient diſtreſs can be found, then and in every ſuch caſe it ſhall and may be lawful to and for the ſeveral perſons, thereby impowered to hear and determine the ſaid offences reſpectively, by their reſpective warrants to commit ſuch offender or offenders to the houſe of correction, or next gaol, for ſo long a time as they ſhall reſpectively think proper, not exceeding ſix months in the whole, and that if any action or ſuit ſhall be commenced or brought againſt any perſon whatſoever, for doing or cauſing to be done any act, matter, or thing in purſuance thereof, the defendant or defendants in ſuch action or ſuit ſhall and may plead the general iſſue, and give the ſpecial matter in evidence, and if upon ſuch action, or in ſuch ſuit, judgment ſhall be given for the defendant or defendants, or the plaintiff or plaintiffs therein ſhall become nonſuit, or diſcontinue his, her, or their action or ſuit, then the defendant or defendants therein ſhall have treble coſts: provided always, that nothing therein contained ſhall extend to charge any perſon or perſons with any penalty, forfeiture or puniſhment, for or concerning any offence, or breach of or againſt the ſaid act, unleſs he, ſhe, or they ſo offending, ſhall be complained of or informed againſt, to the perſon or perſons thereby impowered to determine ſuch offences, within ſix months after ſuch offence or breach ſhall be done and committed: and whereas the ſaid laſt recited clauſe and proviſo have been in ſome inſtances attended with great inconvenience to the publick: be it further enacted by the authority aforeſaid, that from and after the firſt day of Auguſt next the ſaid clauſe and proviſo, and every part thereof, ſhall be repealed and made null and

3 G. 3. c. 34. ſ. 70, 72. repealed as to powers to truſtees or magiſtrates to hear complaints for importing or ſelling ſeed for ſowing.

and void, ſo far as the ſame relates to the juriſdiction and powers given to the ſaid truſtees, or to any juſtice or juſtices of the peace or other magiſtrate, to hear and determine all or any complaints or informations for the importing of, or ſelling, or expoſing to ſale, any parcel or quantity of flax ſeed or hemp ſeed for ſowing, or in order to be ſown.

Offences in this or ſaid act as to flax or hemp ſeed, where penalty not above 6l. determined by one or more truſtees or juſtices for the county, or chief magiſtrate where offence.

IX. And be it further enacted by the authority aforeſaid, that from and after the firſt day of Auguſt next all offences or breaches committed of or againſt any clauſe or article, in this preſent act or in the ſaid recited act contained relative to flax ſeed or hemp ſeed, where the penalty or forfeiture does or may not exceed in value the ſum of ſix pounds ſterling, ſhall and may be heard and finally determined by the ſaid truſtees for the time being, or any one or more of them, or by any one or more juſtice or juſtices of the peace for the county, or by any chief magiſtrate of any city or town corporate, where ſuch offences or breaches ſhall be done or committed, within their reſpective juriſdictions.

On reaſonable notice given,

penalties above 6l. and not above 40l. by civil bill where offence or where defendants live, at plaintiffs option,

X. Provided always, that no ſuch determination ſhall be made, unleſs ſufficient and reaſonable notice ſhall be previouſly given to the party complained of, and that all offences or breaches committed of or againſt any clauſe or article in this preſent act or in the ſaid recited act contained, where the penalty or forfeiture ſhall exceed in value the ſum of ſix pounds ſterling, and ſhall not exceed the ſum of forty pounds ſterling, ſhall and may be heard and finally determined by the reſpective judges of aſſize on their reſpective circuits in a ſummary way by civil bill; on which civil bill the parties may be at liberty to proceed by proceſs and appeal in the uſual way in the reſpective counties, where ſuch offences or breaches ſhall reſpectively be done or committed, or in the county in which the defendant or defendants in ſuch civil bill ſhall live, at the option of the plaintiff, or by the recorder of the city of Dublin, or chairman and juſtices for the county of Dublin for the time being, where ſuch offences or breaches ſhall be committed in the county of the city of Dublin or county of Dublin reſpectively, or in the ſaid county or counties where the defendant or defendants in ſuch civil bill ſhall reſpectively live, at the option of the plaintiff; and that if the judge or judges ſhall think it neceſſary, that a jury ſhall be impannelled on the trial of ſuch civil bill, a jury ſhall be returned inſtanter by the ſheriff or ſheriffs (for which ſuch ſheriff or ſheriffs ſhall not receive any fee or reward) to try the ſame, and that the verdict given by ſuch jury ſhall be final and concluſive to the parties in all courts of law and equity;

a jury *to ſtand inſtanter* if neceſſary,

no fee to ſheriff,

verdict final,

penalties above 40l. by suit at law, &c.

and that all penalties or forfeitures for offences or breaches done or committed of or againſt any clauſe or article in this preſent act or in the ſaid recited act contained, where the penalty or forfeiture does or may exceed in value the ſum of forty pounds ſterling, ſhall and may be ſued for and recovered by ſuit or action at law, or by bill, plaint, or information in any of his Majeſty's courts of king's bench, common pleas, or exchequer in this kingdom, where no eſſoign, or wager of law ſhall be allowed; and that in all actions or ſuits to be brought, commenced, and proſecuted for recovery of forfeitures or penalties for offences or breaches done or committed againſt this preſent act or the ſaid recited act, when the penalties or forfeitures ſhall exceed the ſum of forty pounds ſterling, the Venue ſhall be laid in the county, or the county of a city, or the county of a town, wherein ſuch offences or breaches ſhall be committed, and no other, and to the end that all ſuch actions and ſuits may be determined by a jury of the county, or county of a city, or county of a town, wherein ſuch offences or breaches ſhall be reſpectively done or committed, it ſhall and may be lawful to and for the ſeveral perſon and perſons and courts, hereby impowered to hear and determine the ſaid offences reſpectively, to examine upon oath all and every witneſs and witneſſes as ſhall be produced before them reſpectively, which oath they are hereby impowered reſpectively to adminiſter, upon any complaint or information to him or them made of any breach committed of or againſt this act or the ſaid recited act, and to iſſue their executions or warrants reſpectively to the ſheriff or ſheriffs of the reſpective counties, counties of cities, counties of towns, and conſtables, requiring and impowering him or them to levy the reſpective penalties or forfeitures by ſuch offenders incurred of the goods and chattles of ſuch offenders, which, when levied, ſhall be paid to the perſon ſuing for the ſame.

the *venue* laid only where offence,

witneſſes examined on oath,

warrants to ſheriffs to levy penalties,

to proſecutor.

XI. And be it further enacted by the authority aforeſaid, that ſuch perſon and perſons and courts, as are hereby impowered to hear and determine all breaches or offences done or committed againſt this or the ſaid recited act, may adjudge and award at their diſcretion ſuch reaſonable coſts, not exceeding two ſhillings and ſix pence in the pound, to either of the parties, as they ſhall reſpectively think proper.

Coſts not above 2s. and 6d. *per* pound to either party.

XII. Provided always, that nothing herein contained ſhall extend to charge any perſon or perſons with any penalty or forfeiture for or concerning any offence or breach of or againſt this act, unleſs he, ſhe, or they ſo offending ſhall be complained of

Proſecution in 9 months.

A. D. 1777-8. Chap. 21.

or ſued, or informed againſt, within nine calendar months next after ſuch offence and breach ſhall be done and committed.

Offenders againſt 3 G. 3 c. 34. ſ. 19. forfeit 5s.

XIII. And whereas by a clauſe in the ſaid recited act of the third of his preſent Majeſty's reign it is amongſt other things enacted, that every linen weaver or linen manufacturer ſhall acroſs each end of every piece of linen cloth, by him, his journeyman, or apprentice woven, weave or cauſe to be woven two coarſe threads or cords diſtant from each other about one fourth part of an inch, and ſhall alſo write or cauſe to be written with pen and ink cloſe to ſuch coarſe threads or cords on each end in legible characters his chriſtian name, ſirname, and place of reſidence: therefore be it further enacted by the authority aforeſaid, that every perſon, who ſhall not obſerve the ſaid recited clauſe in every particular, or who ſhall be guilty of offending againſt the ſame, from and after the twenty fourth day of Auguſt one thouſand ſeven hundred and ſeventy eight, ſhall for every ſuch offence forfeit the ſum of five ſhillings; and that no perſon whatſoever ſhall ſell, or expoſe to ſale, or buy any piece of brown or unbleached linen or hempen cloth, that has not two coarſe threads or cords woven at each end thereof, and the manufacturer's name and place of reſidence written legibly at each end of ſuch piece of linen and hempen cloth, as in ſaid recited act is directed, upon pain of the perſon ſelling or expoſing to ſale any ſuch piece forfeiting the ſum of five ſhillings, and the perſon buying the ſame forfeiting the ſum of forty ſhillings, for every ſuch offence.

ſelling brown cloth not having 2 cords, and manufacturer's name and reſidence, at each end, as in ſaid act, 5s.

buyer 40s.

XIV. And be it further enacted by the authority aforeſaid, that from and after the firſt day of Auguſt one thouſand ſeven hundred and ſeventy eight no brown or unbleached linen or hempen cloth, commonly known by the name of moneymores, or ſeven eighths wide, manufactured or made in the province of Ulſter, or in the counties of Leitrim, Sligo, or Mayo, in the province of Conaught, from the ſet of eight hundred to twelve hundred, ſhall be ſold or expoſed to ſale, which ſhall not be when brown, and before the ſame ſhall be bleached, thirty two inches broad at leaſt, and when bleached thirty inches broad at leaſt; and that no piece of ſeven eighths wide, manufactured in the province of Ulſter, or in the aforeſaid counties of Leitrim, Sligo, and Mayo, ſhall contain any greater number of yards in length (if a ſingle piece) than twenty ſix yards, and (if a double piece) than fifty two yards, upon pain of the perſon ſelling, or expoſing the ſame to ſale, forfeiting the ſum of five ſhillings.

Brown *moneymores*, or 7-8ths wide, in *Ulſter*, *Leitrim*, *Sligo*, or *Mayo*, from 800 ſet to 1200, ſhall be 32 inches broad, when bleached 30.

a ſingle piece 26 yards only,

double, 52,

penalty 5s.

XV. And

A. D. 1777-8. Chap. 21.

Brown to have 6 inches at each end open at outside, penalty 5s.

XV. And be it further enacted by the authority aforesaid, that from and after the twenty fourth day of August one thousand seven hundred and seventy eight no person shall sell or offer for sale any piece of brown or unbleached linen or hempen cloth, that shall not have at least six inches at each end of the piece open at the outside to view, under a penalty of five shillings for every such offence.

3 G. 3. c. 34. notwithstanding, dowlass, sheetings, ozenbrigs, made in *Munster* or *Connaught*, sold there without sealing.

XVI. And whereas it hath been found inconvenient in many respects to subject brown or unbleached linen cloths, called or known by the name of dowlass, sheeting, and ozenbrigs, manufactured in the provinces of Munster and Connaught, to be sealed pursuant to an act made in the third year of his Majesty's reign, intitled, *An act for the better regulation of the linen and hempen manufactures*: for remedy whereof be it enacted by the authority aforesaid, that from and after the first day of August one thousand seven hundred and seventy eight all brown or unbleached linen cloths, called or known by the names of dowlass, sheetings, or ozenbrigs, manufactured or made in the provinces of Munster or Connaught, may be sold or exposed to sale in any place in the said provinces without being sealed, any thing contained in the said recited act to the contrary notwithstanding.

3 G. 3. c. 34. s. 49. injurious to linen trade by unfair advantage to residents in market towns, jobbing and forestalling:

XVII. And whereas by a clause in the said recited act it is enacted, that all brown or unbleached linen or hempen cloth, linen or hempen yarn, that shall be sold in any place in this kingdom, except in the city of Dublin or suburbs thereof, by any person or persons, other than resident merchants or shopkeepers dealing in such cloth or yarn, or other than and except such linen and hempen yarn as shall be sold in a wholesale way, that is to say, in one quantity or parcel, to the value of twenty pounds or upwards, by one person, shall be sold publickly in some open market or fair between the hours of eight of the clock in the forenoon and four of the clock in the afternoon for linen and hempen yarn, and between the hours of ten of the clock in the forenoon and four of the clock in the afternoon for brown or unbleached linen or hempen cloth, on the respective day or days on which such market or fair is usually held; and that if any person or persons, not being a resident merchant or shop keeper, or dealer in a wholesale way as aforesaid, shall sell, or offer or contract to sell, any such cloth or yarn in any other manner than as aforesaid, such person or persons shall forfeit such cloth or yarn, or the value thereof: and whereas the said last recited clause is found to be injurious to the linen trade of this kingdom by giving an unfair advantage to persons residing in market towns, and likewise is found to promote

more jobbing and foreſtalling: be it enacted by the authority aforeſaid, That from and after the twenty fourth day of Auguſt one thouſand ſeven hundred and ſeventy eight, no perſon whatſoever, whether reſident or not, ſhall buy or offer to buy within the cuſtom gates or cuſtom gaps of any fair or market town in this kingdom, on the reſpective days the market or fair ſhall be held in the ſame, any brown or unbleached linen or hempen cloth before the hour of eleven of the clock in the forenoon, or after the hour of four of the clock in the afternoon from the twenty fifth day of September to the twenty fifth day of March, or before the hour of ten o'clock in the forenoon or after four in the afternoon from the twenty fifth day of March to the twenty fifth day of September, under a penalty of forty ſhillings for every piece of brown or unbleached linen or hempen cloth ſo bought.

none ſhall buy within cuſtom gaps on market or fair day unbleached cloth before 11 or after 4 from 25 September to 25 March, before 10 or after 4 from March to September, penalty 40s. *per* piece.

XVIII. And whereas by an act paſſed in the fifteenth and ſixteenth years of his Majeſty's reign, entitled, *An act for granting unto his Majeſty an additional duty on the ſeveral commodities, goods, and merchandizes therein mentioned, and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns except of the manufacture of Great Britain*, it is amongſt other things enacted, That no cambricks or lawns whatſoever, (except of the manufacture of Great Britain) ſhall from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy five be imported into this kingdom in any ſhip or veſſel whatſoever under the penalty of the forfeiture of all ſuch cambricks and lawns, and treble the value thereof, and of the ſhip or veſſel in which the ſame ſhall be imported, with all her guns, tackle, furniture, ammunition, and apparel: and whereas of late large quantities of foreign cambricks and lawns have been clandeſtinely imported into this kingdom, notwithſtanding the prohibition in the ſaid recited act mentioned, to the great detriment of the cambrick and lawn manufactures of this kingdom: for remedy whereof be it enacted by the authority aforeſaid, That from and after the firſt day of July one thouſand ſeven hundred and ſeventy eight, if any cambricks or lawns, or goods of the kind uſually known by or under either of theſe denominations, ſhall be ſeized by virtue or in purſuance of the ſaid recited act, or any other act now in force, or if any action ſhall be brought by the owner or claimer of ſuch goods againſt any officer of the cuſtoms or exciſe, or any other perſon, for any thing done in purſuance of the ſaid recited act, or any other act now in force; and if any doubt or queſtion ſhall ariſe, where ſuch goods were manufactured, the proof ſhall be upon the owner or claimer of ſuch goods,

15 & 16 G. 3. c. 8. ſ. 21.

cambrick or lawn, or goods of the kind, ſeiſed in purſuance of the ſaid act, or any other in force, proof where manufactured upon owner or claimer.

A. D. 1777-8. Chap. 21.

and not on the perſon who ſeized the ſame, or againſt whom ſuch action ſhall be brought; any law, uſage, or cuſtom to the contrary notwithſtanding.

Foreign cambrick or lawn delivered to bleacher as Iriſh, or bleached or ſtamped as Britiſh or Iriſh, 50l.

XIX. And be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall deliver to bleach any foreign cambricks or lawns to any bleacher as Iriſh, or if any perſon or perſons ſhall knowingly bleach or ſtamp any foreign cambricks or lawns with a Britiſh or Iriſh ſtamp, ſuch perſon or perſons ſhall forfeit fifty pounds; and that in order to diſtinguiſh Iriſh cambricks or lawns from foreign, every bleacher ſhall, before he delivers the ſame to the owner, or expoſe them to ſale, mark or ſtamp each end of every ſuch piece with the truſtees ſeal, and alſo with his own name and place of abode, under the penalty of five pounds for each piece; and that no cambricks or lawns ſhall be expoſed to ſale, or remain in the cuſtody of any wholeſale or retail merchant of cambricks or lawns, without ſuch ſtamps, under the penalty of five pounds for every ſuch piece ſo expoſed to ſale, or found in cuſtody of ſuch merchant; and that no remnant of cambrick or lawn ſhall be expoſed to ſale, or remain in cuſtody of any ſuch merchant, without one end thereof ſtamped as aforeſaid, under the penalty of five pounds for every ſuch remnant; ſuch penalties and forfeitures to go to and be recoverable from the perſon or perſons, in whoſe cuſtody ſuch goods are found, by the perſon or perſons who ſhall ſeize the ſame as aforeſaid, in the ſame manner as all penalties are recovered by an act of the third of his preſent Majeſty, entitled, *An act for the better regulation of the linen and hempen manufactures.*

bleacher ſhall mark each end with truſtees ſeal, his name and abode, or 5l. *per* piece,

ſold or kept without ſtamp 5l. *per* piece,

remnant without one end ſtamped 5l.

penalties as by 3 G. 3. c. 34.

Cambricks, lawns, and damaſks as linen and hemp manufactures within all the acts.

XX. And whereas certain doubts have ariſen, how far cambricks, lawns, and damaſks are included within the deſcription of the words linen and hempen cloths in the act, entitled, *An act for the better regulation of the linen and hempen manufactures*, and in all other acts relative to the linen and hempen manufactures in this kingdom: be it declared by the authority aforeſaid, That all cambricks, lawns, and damaſks are to be conſidered as linen and hempen cloths, and as linen and hempen manufactures, within the intention of the ſaid acts.

[a] Repealed by 21 & 22 G. 3. c. 35. ſ. 54.

XXI. And be it further enacted by the authority aforeſaid, That no juſtice of the peace, or chief magiſtrate of any town or corporation, ſhall receive or take any fee or reward for any ſummons or warrant, or for hearing or determining any complaint or information before him, or for any thing he may do or cauſe to be done in purſuance of this act, or of the act aforeſaid; and that no juſtice of the peace ſhall hear or determine any complaint

or

or information for any breach or offence, to be done or committed againſt this act, or againſt the act aforeſaid, unleſs ſuch juſtice of the peace ſhall have an eſtate for life in lands, tenements, or hereditaments of the clear yearly value of two hundred pounds ſterling; and that if any juſtice of the peace, not having ſuch eſtate, ſhall hear, or determine ſuch complaint, or information, ſuch juſtice ſhall forfeit to the injured party the ſum of one hundred pounds ſterling for every ſuch offence or breach, to be recovered by civil bill, as herein before mentioned.

False ſwearing puniſhed as perjury.

XXII. And be it further enacted by the authority aforeſaid, That every perſon, who ſhall knowingly ſwear any thing, which is falſe, either *viva voce*, or in any affidavit, or upon any examination in any manner relative to any thing contained in the ſaid recited act of the third year of his preſent Majeſty, or in this preſent act, ſhall upon conviction ſuffer ſuch puniſhment, as perſons convicted of wilful and corrupt perjury are by the laws of this kingdom ſubject to.

The linen and yarn hall, offices, &c. veſted in the truſtees.

XXIII. And whereas doubts have ariſen, whether the linen hall and yarn hall, and the houſes, offices, and grounds to them reſpectively belonging, in the county of the city of Dublin, be the property of and legally veſted in the truſtees of the linen and hempen manufacture in this kingdom: in order to obviate ſuch doubts be it enacted by the authority aforeſaid, That from and after the paſſing of this act, the linen hall and yarn hall, and the houſes, offices, and grounds to them reſpectively belonging, in the county of the city of Dublin, be veſted in the truſtees of the linen and hempen manufactures in this kingdom for the time being, and their ſucceſſors.

Clergy taken away on larceny 5s. value by day or night in linen or yarn hall or offices, tho' no houſe breaking or perſon therein,

or on aiding.

XXIV. And foraſmuch as divers wicked and ill-diſpoſed perſons may be encouraged to commit larcenies in the linen hall and yarn hall, and in the houſes, offices, and grounds thereunto belonging, by reaſon of the privilege, as the law now is, of demanding the benefit of their clergy: therefore be it enacted by the authority aforeſaid, That all and every perſon or perſons, that ſhall at any time from and after the firſt day of Auguſt one thouſand ſeven hundred and ſeventy eight, by day or by night privately and felonioufly ſteal any goods or chattles, wares or merchandizes, of the value of five ſhillings or more, being in the linen hall or yarn hall, or in any houſe or office thereunto belonging, although the ſaid linen hall or yarn hall, or ſuch houſe or office, be not actually broken by ſuch offender, and although the owner of ſuch goods, chattles, wares, or merchandizes, or any other perſon or perſons, be or be not in the ſaid linen hall or yarn

hall, or in ſuch houſe or office, or ſhall aſſiſt or aid any perſon or perſons to commit any ſuch offence, being thereof convicted or attainted by verdict or confeſſion, or ſhall peremptorily challenge above the number of twenty returned to be the jury, ſhall by virtue of this act be abſolutely debarred of and from the benefit of clergy, any law or cuſtom to the contrary notwithſtanding.

End of ſtolen linen cut off to prevent proving property,

XXV. And whereas the robbing of bleachyards in different parts of this kingdom has become ſo frequent as greatly to injure the perſons concerned in the linen and hempen manufactures; and it has been obſerved, that moſt or all ſuch ſtolen linens, as have been recovered after having been ſo ſtolen, have been found with the ends cut off to prevent the owners from being able to prove their property in the ſame: for remedy whereof be it further enacted by the authority aforeſaid, That from and after the firſt of September one thouſand ſeven hundred and ſeventy eight, no perſon whatſoever ſhall have in his or her cuſtody any piece or more of brown or in part bleached linen, that ſhall not have two coarſe cords at each end, as directed by an act made in the third year of the reign of his preſent Majeſty, entitled, *An act for the better regulation of the linen and hempen manufactures*; upon pain of forfeiting ſuch piece of cloth, and alſo the ſum of forty ſhillings for each and every ſuch piece, to be recovered and diſpoſed of in the ſame manner as in and by the ſaid act directed, with regard to penalties and forfeitures therein mentioned, not exceeding the ſum of ſix pounds.

brown or part bleached not having 2 coarſe cords at each end, as by 3 G. 3. c. 34. forfeited, and 40s. per piece,

as 6l. penalties by ſaid act.

Bleachers to mark on each end within the cords initials of name, and number,

XXVI. And be it enacted by the authority aforeſaid, That every bleacher of linens, or perſons giving out linens to bleach or whiten, ſhall mark on each end of the piece with marking ink within the cords the two initial letters of his name, or more, with his or her number fixed after ſaid letters; and if any piece or part of a piece of linen ſhall be found in the cuſtody of any perſon or perſons whatſoever not corded on either end, before the ſame is finiſhed and ſtamped by a white ſeal-maſter, that he or ſhe, in whoſe cuſtody ſaid linen is found, ſhall forfeit the ſame, and alſo the ſum of five pounds, to be recovered by the firſt real informer that ſues for the ſame, in ſuch manner as is by the ſaid act directed, with regard to penalties and forfeitures therein mentioned not exceeding the ſum of ſix pounds; and that if any perſon ſhall take on board any ſhip, boat, or veſſel, or attempt to take on board any ſhip, boat, or veſſel, any ſpinning-wheel, loom, hackle, or any machine made uſe of for or towards the manufacturing of linen or hempen cloth, or any part of any ſpinning-wheel, loom, hackle, or of ſuch machine, every perſon ſo offending ſhall forfeit

linen not corded and ſtamped by white ſeal-maſter, forfeited, and 5l.

to ſhip, or attempt, any part of manufacturing machine, forfeited and 5l.

feit the ſum of five pounds, to be recovered as all penalties and forfeitures are by this act, or by the act of the third year of his preſent Majeſty's reign, intitled, *An act for the better regulation of the linen and hempen manufactures*, and alſo ſuch ſpinning wheel, loom, hackle, or machine. A. D. 1777-8.

CHAP. XXII.

An act to explain and amend an act paſſed in the thirteenth and fourteenth years of the reign of his preſent Majeſty, intitled, *An act for amending the publick roads.*

WHEREAS doubts have ariſen, whether by the act of the thirteenth and fourteenth years of the reign of his preſent Majeſty, intitled, *An act for amending the public roads*, grand juries of counties, and counties of cities, and counties of towns, are enabled to grant any ſums of money for the repairing of any bridge in ſuch counties, unleſs a plan of the work to be done be annexed to the affidavit, upon which ſuch preſentment is grounded; and alſo whether ſuch grand juries are enabled to grant by preſentment any ſums of money for the making or repairing of any road in ſuch counties, if the preſentment be for a ſmaller number of perches, or for a ſmaller ſum, than is contained in the affidavit, upon which ſuch preſentment is grounded: be it therefore enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of June one thouſand ſeven hundred and ſeventy eight it ſhall and may be lawful for the grand juries of the ſeveral counties, and counties of cities, and counties of towns, by preſentment to grant ſuch ſum or ſums of money, as they ſhall think neceſſary, on ſuch counties for the repairing of any bridge in ſuch counties, counties of cities, and counties of towns, although no plan of the work to be done, to be annexed to the affidavit upon which ſuch preſentment is grounded, and alſo for the grand juries of ſuch counties to grant ſuch ſum or ſums of money, as they ſhall think neceſſary, for the making or repairing of any road in ſuch counties on any barony, or half barony in which ſuch roads are ſituated, although the preſentment ſhould be for a ſmaller number of perches, or for a ſmaller ſum, than is ſworn to in the affidavit, upon which ſuch preſentment is grounded, and for the judge of aſſize to confirm ſuch preſentment.

Doubts on 13 & 14 G. 3. c. 32.

preſentment to repair bridge, tho' no plan annexed to affidavit,

and for roads, tho' for fewer perches or ſmaller ſum than ſworn to.

A. D. 1777-8. Chap. 22.

Carcaſe or hide, ſold in principal ſtreets from *Dublin* to *Belfaſt*, forfeited and 40s.

II. And be it further enacted by the authority aforeſaid, that every perſon, who ſhall expoſe to ſale after the firſt day of September one thouſand ſeven hundred and ſeventy eight the carcaſe or hide of any beaſt, or any part of the carcaſe of any beaſt, in the principal ſtreets of any town, through which travellers uſually paſs from Dublin to Belfaſt, ſhall upon conviction by the oath of one credible witneſs before any one juſtice of the peace of the county, where ſuch offence ſhall be committed, or upon the view of any ſuch juſtice, for every ſuch offence forfeit a ſum not exceeding forty ſhillings, to be levied by diſtreſs and ſale of the goods of the offender by the warrant of ſuch juſtice, and alſo ſuch carcaſe or hide, or part of a carcaſe.

Barony preſentment for drains through bog,

not above 12d. *per* perch, and 1s. *per* l. for overſeers.

III. And that it ſhall be lawful for the grand jury of any county by preſentment to raiſe ſuch ſum or ſums of money, as they ſhall think neceſſary, upon any barony or half barony in ſuch county for making, widening, and deepening drains on each ſide of any publick road in ſuch barony or half barony, which has been or ſhall be made through a bog, and for carrying off the water that may injure ſuch road: provided ſuch ſum ſhall not exceed the ſum of twelve pence for each perch of ſuch drain, and for paying wages to the overſeer appointed for ſuch work, not exceeding one ſhilling for each pound to be expended by ſuch overſeer.

On affidavit by 2 before 2 juſtices of reaſonable and neceſſary charge,

not paid, till 1 overſeer's affidavit of expenditure before a judge.

IV. Provided always, that no ſum of money ſhall be ſo preſented, unleſs it ſhall appear by affidavit, ſworn by two credible perſons, who can read and write, before any two juſtices of the peace for ſuch county, that the ſum therein required is a reaſonable charge, and that the work is neceſſary, and cannot be effectually executed for a ſmaller ſum, to the beſt of their judgment; and that no ſum of money ſhall be paid by the treaſurer of any county on account of any ſuch preſentment, until it ſhall appear to the grand jury and to the judge of aſſize by the affidavit of one of the overſeers appointed for ſuch work, who can read and write, ſworn before one of the judges of aſſize, that the ſaid ſum ſo accounted for hath been faithfully and honeſtly expended in the execution of the work, for which ſuch ſum of money was granted by ſuch preſentment, to the beſt of his ſkill and judgment.

And that ditches are effectually ſcoured, and free paſſage for water.

V. And whereas the publick roads receive great damage by the overſeers neglecting to oblige the landholders to keep the ditches on each ſide of the road ſcoured, as the law directs: be it further enacted by the authority aforeſaid, that the words following, viz. [and that the ditches, which are on each ſide of

the ſaid road, are effectually ſcoured, and a free paſſage made for the water] ſhall be added to the affidavit, which ſuch overſeer is obliged by law to make, before he receives the money preſented for the repair of ſuch road.

2 Years allowed for proceſs againſt overſeer on diſcharged query inſtead of 1 as by 33 *G.* 2. c. 8. ſ. 14.

VI. And whereas by an act of the thirty third of George the ſecond, chapter eight, it is enacted, that if it ſhall appear to any judge upon due proof by two ſubſtantial witneſſes upon oath at any aſſizes, within one year after any query on a preſentment for any highway or bridge has been diſcharged, that ſaid court was deceived or impoſed upon by any affidavit for diſcharging ſuch query, and that the road or bridge were not made or built purſuant to the preſentment for the ſame, the judge of aſſize may, notwithſtanding ſuch query was diſcharged, iſſue proceſs in ſuch caſe againſt the overſeers mentioned in ſuch preſentment, as if the ſaid query had never been anſwered: and whereas the time allowed for iſſuing ſuch proceſs is not found by experience ſufficient to anſwer the good purpoſes of the ſaid laſt mentioned act: be it enacted by the authority aforeſaid, that the time allowed for iſſuing proceſs upon ſuch query as aforeſaid may be enlarged or extended to the term of two years inſtead of the term of one year.

A juſtice of 100l. a year freehold in *Down* may on view abate nuiſance,

VII. And be it further enacted by the authority aforeſaid, that any juſtice of the peace, who ſhall have a freehold eſtate of one hundred pounds *per annum* in any barony or baronies in the county of Downe, ſhall be empowered on view to abate all nuiſances, to remove all encroachments on any of the roads in ſuch barony or baronies in ſaid counties, wherein he ſhall have ſuch freehold eſtate of one hundred pounds *per annum*, and have the ſame power and authority to proceed to the abatement of ſuch nuiſances or encroachments, as the laws do now give to any juſtice on complaint being made to him of any nuiſance; and that the ſeveral churchwardens of every pariſh in ſaid county of Downe ſhall be overſeers of the roads to prevent encroachments and nuiſances on the ſame, and ſhall have the ſame powers and authorities within their reſpective pariſhes, that the overſeers or ſub conſtables appointed by the grand jury of any other county have by the act aforeſaid; and that no money ſhall be preſented or raiſed off any barony or pariſh in ſaid county for the payment of any ſuch overſeer for his or their trouble in executing ſuch office.

Churchwardens in *Down* overſeers to prevent nuiſances, with powers as others.

VIII. And whereas it will tend to leſſen the expence of keeping publick roads in repair, if the grand juries of the reſpective counties ſhall be empowered to agree or contract with proper perſons

Grand juries of certain counties may at aſſizes contract for

A. D. 1777-8. Chap. 22.

ſons for a limited time to keep the roads, for which ſuch preſentments have been granted, in conſtant repair: be it further enacted by the authority aforeſaid, that the grand juries of the counties of Antrim, Donegall, Downe, Kerry, Kildare, King's county, Limerick, Wicklow, and city and county of Londonderry, at each aſſizes for ſaid counties ſhall have full power and authority to enter into any contract or agreement by the year with any perſon or perſons for keeping any part or proportion of the publick roads of ſaid county, that have been heretofore made or repaired by preſentments, in ſufficient order and repair for any ſpace of time not exceeding four years; which contract or agreement ſhall be ſigned by the parties, with whom the grand juries of ſaid counties ſhall make the ſame, and ſhall be delivered over to the clerk of the crown to be by him kept with the records of the ſaid counties; and that the grand juries of ſaid counties ſhall have full power and authority to preſent any ſum of money to be levied and raiſed off the inhabitants of the reſpective baronies or half baronies in ſaid counties, to be paid to the perſon or perſons with whom they ſhall make ſuch contract or agreement; provided the ſame ſhall not exceed the ſum of two pence halfpenny by the perch of road ſo to be kept in repair, and ſo for a greater or leſſer proportion of road.

keeping roads in repair 4 years,

ſigned by parties, delivered to crown clerk, barony preſentment not above 2½d. *per* perch, *for Antrim may contract for* 9d. *per ann. per perch by* 19 & 20 *G.* 3. *c.* 18. *ſ.* 3.

IX. Provided nevertheleſs always, that no part of the money ſo preſented ſhall be paid by the treaſurer of ſaid county, until ſuch contractor or contractors ſhall make affidavit before the judge of aſſize, that ſuch proportion of road is at that time in ſufficient order and repair, and until ſuch affidavit ſhall be allowed and paſſed by the then grand jury and judge of aſſize.

Not paid, till contractor's affidavit before the judge allowed.

X. And whereas the grand juries of the ſeveral counties in this kingdom are allowed by law to preſent any ſum, not exceeding in the whole the ſum of one hundred pounds, for an accurate ſurvey and map of their county, and ſaid ſum is inſufficient for ſaid purpoſe, and not proportioned to the various ſizes of the different counties: be it enacted by the authority aforeſaid, that it ſhall and may be lawful for the grand jury of each county, at any aſſizes held for the ſame, to preſent to be raiſed on the county at large any ſum or ſums of money, not exceeding in the whole the ſum of one hundred pounds for each one hundred thouſand acres contained in ſuch county according to the county books, or the uſual computation thereof, and ſo in proportion for any leſs quantity, for the obtaining an accurate ſurvey and map thereof; ſuch map when finiſhed to be depoſited and kept by the treaſurer of ſuch county among the records thereof; and that ſaid

County preſentment for ſurvey and map,

not above 100*l.* for each 100000 acres,

without previous affidavit or eſtimate.

said presentment may be made without any affidavit or estimate of the probable expence thereof being previously laid before them.

On security, approved by grand jury, treasurer directed to pay not above 2-3ds before survey finished.

XI. Provided always, That no money shall be paid on account of any such presentment or presentments, until the said survey shall be finished, and map delivered to the treasurer, and approved of by the grand jury, unless sufficient security shall be given to the treasurer, and approved of by the grand jury, by the surveyor or surveyors for the compleating said survey, and delivering said map on the terms and within the time specified in such security; in which case it shall and may be lawful for the grand jury from time to time to direct the treasurer to pay any sum, not exceeding two third parts of the money presented, to such surveyor or surveyors to enable him or them to proceed in making such survey, before such survey shall be actually finished.

Demanding reward for swearing affidavit, 5l. by civil bill.

XII. And be it enacted by the authority aforesaid, That if any justice of the peace, or any other person, shall demand or take any sum of money or any reward for swearing any affidavit directed to be made by the act for amending the public roads, or by this act; every such justice of the peace or other person so offending shall forfeit the sum of five pounds to the prosecutor or informer, to be recovered by any person who shall sue for the same by civil bill.

County and city of Dublin excepted, save as to presentment for maps

XIII. Provided always, That nothing herein contained shall extend to the county or the county of the city of Dublin, except so far as relates to impower grand juries to grant presentments for making maps or surveys of counties.

3 *G.* 3. c. 5. l. 7.

XIV. And whereas by an act of Parliament passed in this kingdom in the third year of his present Majesty's reign, entitled, *An act for discharging without fees persons who shall be acquitted of offences, for which they are or shall be indicted, and for making a compensation to sheriffs, gaolers, and clerks of the crown, and clerks of the peace, for such fees*, the grand juries of the county of Cork are impowered to raise and present on said county any sum, not exceeding thirty pounds, at each assizes to be held for said county, in lieu of fees of persons indicted, tried, and acquitted at the assizes and quarter sessions for said county, to be paid to the clerk of the crown and peace for said county in manner therein mentioned: and whereas the said county is very large and extensive, and the trouble and expence of executing the said offices of clerk of the crown and peace therein are much encreased: be it therefore further enacted by the authority aforesaid, that it shall and may be lawful for the grand jury at every assizes, to be held for

grand jury for county of Cork may present not above 50l.

A. D. 1777-8.

for clerks of crown and peace in lieu of fees of persons discharged.

for the said county, to raise and present in the usual manner on the said county at large any sum or sums of money, not exceeding in the whole the sum of fifty pounds, to be paid to the clerks of the crown and peace for said county in lieu and recompence of the fees payable unto them for such persons, as shall be tried, acquitted, and discharged without fees at the assizes and quarter sessions for said county, pursuant to the said recited act, any other law or statute to the contrary notwithstanding.

Grand jury cess paid by occupier of land when levied, tho' not occupying when imposed.

XV. And whereas doubts have arisen, whether the grand jury cess imposed previous to the expiration of any lease, but not levied until after the expiration of such lease, is to be paid by the tenant, whose lease is expired, or to remain a charge on the lands and to be paid by the actual occupier thereof at the time of the same being levied: be it further enacted by the authority aforesaid, that every grand jury cess shall be paid by the person or persons, occupying the land at the time such cess is levied thereout, though such person or persons did not occupy the same, when the cess was imposed.

CHAP. XXIII.

An Act to amend an Act, entitled, *An Act for enforcing a due Execution of the Laws relative to Turnpike-roads in this Kingdom.*

13 & 14 G. 3. c. 26. not extended to roads herein recited, the trustees, &c.

WHEREAS the several regulations prescribed by the several laws made in this kingdom for the repairing the turnpike roads following, that is to say, from Dublin to Dunleer, from Dunleer to Dundalk, from Dundalk to Newry and Bambridge, and from Dublin to Kinnegad and Mullingar, are fully sufficient to enforce a due execution of the said laws respectively; and the several regulations in said recited act are unnecessary to be extended to said roads, or the trustees respectively of the same, and would, if extended, be attended with great inconvenience, not being conformable in many instances to the regulations respectively enjoined by said several laws: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal, and commons in this present Parliament assembled, and by the authority of the same, That nothing in said recited act contained shall extend, or be construed to extend, to said recited roads, or any of them, or the trustees appointed for the same, or to their proceedings, their treasurers, clerks, overseers, or servants, or

any of them, nor to any treaſurer of a county, or clerk of the peace, for or in reſpect of the ſame. A. D. 1777-8.

CHAP. XXIV.

An Act to prevent the Miſchiefs that ariſe from driving Cattle within the City of Dublin and Liberties thereof.

Expired 1781.

WHEREAS the improper and cruel manner, in which cattle are driven through the ſtreets and liberties of the city of Dublin, has occaſioned great miſchief, and endangered the lives of many of his Majeſty's liege ſubjects inhabiting therein: for preventing whereof for the future, be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the paſſing of this act if any perſon or perſons, who ſhall be hired or employed to drive any cattle within the ſaid city of Dublin, or the liberties thereof, ſhall by negligence or ill uſage in the driving ſuch cattle be the means, that any miſchief ſhall be done by ſuch cattle, or by any one or more of them, which ſhall be committed to his, her, or their care; or if any driver or drivers of cattle within the limits aforeſaid ſhall in any wiſe miſbehave himſelf, herſelf, or themſelves, in the driving, care, or management of any ſuch cattle, by the improper driving, treating, or uſing of ſuch cattle, then and in any of ſaid caſes, and ſo often as any of them ſhall happen, it ſhall and may be lawful to and for any conſtable or other peace officer upon view thereof, or information of any perſon or perſons, who ſhall declare his, her, or their name or names, and place or places of abode, to the ſaid conſtable or other peace officer, to ſeize and ſecure by the authority of this act, and without any other warrant to convey ſuch offender or offenders before ſome juſtice of the peace of the ſaid city of Dublin, or liberties thereof; and the party or parties accuſed being brought before ſuch juſtice, within whoſe juriſdiction the offence ſhall be committed, ſuch juſtice ſhall proceed to examine upon oath any witneſs or witneſſes, who ſhall appear or be produced to give information touching ſuch offence; (which oath the ſaid juſtice is hereby authorized and required to adminiſter) and if the party or parties accuſed ſhall be convicted of any ſuch offence either by his, her, or their own confeſſion, or upon ſuch information as aforeſaid, he, ſhe, or they ſo convicted ſhall forfeit and pay any ſum not

A. D. 1777-8. Chap. 24.

exceeding twenty ſhillings, nor leſs than five ſhillings, to the perſon or perſons who ſhall proſecute to conviction any ſuch offender or offenders; and if the perſon or perſons ſo convicted ſhall refuſe or not be able forthwith to pay the ſum forfeited, every ſuch offender ſhall by warrant under the hand and ſeal of ſome juſtice of the peace, within whoſe juriſdiction the perſon ſo offending ſhall be convicted, be committed to the houſe of correction or ſome other priſon within the city of Dublin or liberties thereof, within which the offence ſhall be committed, or the offender ſhall be apprehended, there to be kept to hard labour for any time not exceeding one month, or ſhall be publickly whipped, as ſuch juſtice ſhall think fit and order.

II. Be it enacted by the authority aforeſaid, That in caſe the perſon or perſons giving ſuch information as aforeſaid ſhall neglect or refuſe to attend without ſome lawful excuſe, to be allowed by the juſtice, ſuch conſtable or other peace officer within the ſpace of ſix hours from the time of making ſuch information, he, ſhe, or they ſo offending ſhall, upon proof being made on the oath of ſuch conſtable or peace officer, that ſuch perſon having given ſuch information as aforeſaid, (which oath the ſaid juſtice is hereby authorized and required to adminiſter) ſhall forfeit and pay any ſum not exceeding forty ſhillings nor leſs than ten ſhillings, to ſuch conſtable or peace officer, and if the ſame ſhall not be forthwith paid, the ſame ſhall be levied by diſtreſs and ſale of the offender's goods and chattles by warrant under the hand and ſeal of ſuch juſtice.

III. Be it enacted by the authority aforeſaid, That the court of mayor and aldermen of the city of Dublin for the time being ſhall have full power and authority to make, frame, and ſet down in writing ſuch reaſonable rules, orders, or ordinances for governing and regulating all perſons, who ſhall drive any cattle, ſheep, calves, or lambs, within the ſaid city of Dublin and the liberties thereof, and to annex ſuch reaſonable penalties and forfeitures for the breach of ſuch rules, orders, and ordinances, not exceeding forty ſhillings, nor leſs than five ſhillings for any one offence; and ſuch rules, orders, and ordinances, or any of them, from time to time to amend.

IV. Be it enacted by the authority aforeſaid, That nothing in this act contained ſhall extend or be conſtrued to extend to impower the ſaid court of mayor and aldermen to ſhorten or abridge the time for keeping the ſaid market open; but that the ſame ſhall be kept open from the hour of twelve of the clock at night 'till the hour of three of the clock in the afternoon on the ſeveral market days, and at no other

other hours, unleſs the ſaid court of mayor and aldermen ſhall judge it proper to enlarge the time for keeping it open.

V. Be it enacted by the authority aforeſaid, That any one juſtice of the peace of the city of Dublin or the liberties thereof, within whoſe juriſdictions any offence ſhall be committed, ſhall have power to hear and determine in a ſummary way complaints of offences, that ſhall be committed contrary to any of the rules, orders, or ordinances at any time hereafter to be made by the ſaid court of the mayor and aldermen in purſuance of this act: and the ſaid juſtice or juſtices, and each of them reſpectively within their reſpective juriſdictions, is and are hereby authorized and required upon view, or upon complaint made on oath to them reſpectively, of any ſuch offence committed within their reſpective juriſdictions contrary to ſuch rules, orders, or ordinances, within ſix days after the commiſſion of any ſuch offence to iſſue his or their warrant or warrants under his hand and ſeal or their hands and ſeals, directed to ſuch conſtable or conſtables, or other peace officer or officers, as the ſaid juſtice or juſtices, or any one of them, ſhall from time to time think fit, thereby requiring him or them to apprehend ſuch offender or offenders, and to bring him, her, or them, before the ſaid juſtice or juſtices, or any one of them within their reſpective juriſdictions, to anſwer the matters of complaint to be contained in ſuch warrant or warrants; and if ſuch offender or offenders ſhall be convicted either by his, her, or their confeſſion, or by the oath of one or more credible witneſs or witneſſes, (which oath ſuch juſtice or juſtices reſpectively, or any one of them, is and are hereby authorized and required to adminiſter) it ſhall be lawful for ſuch juſtice or juſtices, or any one of them, to impoſe a fine upon him, her, or them, for the ſaid offence, not exceeding the penalty or penalties which ſhall be inflicted in and by the ſaid rules, orders, and ordinances; and if the perſon or perſons ſo convicted ſhall neglect or refuſe forthwith to pay the penalty or forfeiture impoſed upon him, her, or them, it ſhall and may be lawful for ſuch juſtice or juſtices, or one of them, in his or their reſpective juriſdictions, immediately to commit the perſon or perſons convicted to the houſe of correction, or other priſon within the juriſdiction of ſuch juſtice or juſtices reſpectively, or any one of them, there to be kept to hard labour for any time not exceeding one month, unleſs the ſaid penalty or forfeiture ſhall be ſooner paid; all which penalties and forfeitures ſhall go and be paid to the perſon or perſons, who ſhall inform and proſecute to conviction any ſuch offender or offenders.

A. D. 1777-8. Chap. 24.

VI. Be it enacted by the authority aforeſaid, That if any perſon, who ſhall be apprehended for having committed any offence againſt this act, ſhall refuſe to diſcover his, her, or their name or names, and place or places of abode, to the juſtice or juſtices, before whom he, ſhe, or they ſhall be brought, ſuch perſon or perſons ſo refuſing ſhall immediately be delivered over to a conſtable or other peace officer, and ſhall by him be conveyed to the common gaol or houſe of correction of the county or place, where the offence ſhall be committed, or the offender or offenders ſhall be apprehended, there to remain for the ſpace of one month, or until he, ſhe, or they ſhall declare his, her, or their name or names, and place or places of abode, to the ſaid juſtice, or to ſome other juſtice of the peace for the ſaid county or place.

VII. Be it enacted by the authority aforeſaid, That an abſtract of the ſeveral proviſions and penalties contained in this act, and all ſuch rules, orders, and ordinances, ſo to be made from time to time by the ſaid court of mayor and aldermen, ſhall within fourteen days after the making of ſuch rules, orders, and ordinances, be printed and fixed upon ſuch of the moſt conſpicuous places within the ſaid city of Dublin and liberties thereof, in ſuch manner as the court ſhall think proper, and from time to time order.

VIII. Be it enacted by the authority aforeſaid, That in caſe any perſon, againſt whom a warrant ſhall be iſſued by any juſtice of the peace either before or after conviction as aforeſaid, for any offence againſt this act, or againſt ſuch rules, orders and ordinances hereafter to be made as aforeſaid, ſhall eſcape, go into, reſide, or be in any other county, city, liberty, town, or place out of the juriſdiction of the perſon granting ſuch warrant or warrants as aforeſaid; and if the goods and chattles of any offender, convicted of any offence in purſuance of this act, ſhall be in a different county, city, liberty, town, or place, than where the ſaid party was convicted, or the warrant of diſtreſs granted, it ſhall and may be lawful for any juſtice of the peace for the county, city, liberty, town, or place, than where the ſaid party was convicted, or the warrant of diſtreſs granted for any juſtice of the peace of the county, city, liberty, town, or place, into which ſuch perſon ſhall eſcape, either before or after conviction, or where his goods or chattles ſhall be after ſuch conviction, and they and every of them are hereby required within their reſpective juriſdictions, upon proof made upon oath of the hand writing of the ſaid juſtice granting ſuch warrant or warrants, to indorſe his or their name on ſuch warrant or warrants; and the ſame when ſo indorſed, ſhall be ſufficient authority

thority to all peace officers to execute such warrant in such other county, city, liberty, town, or place out of the jurisdiction of the person granting the said warrant; and the said justices respectively, or any one of them, as the case shall happen, after indorsing the said warrant may, on the offender or offenders being apprehended and brought before the said justices or any one of them within their respective jurisdictions, proceed to hear and determine the complaint in the same manner, as if it had originally arose within their respective jurisdictions, or may direct the offender to be carried to the person, who granted the said warrant, to be dealt with according to law.

IX. Be it enacted by the authority aforesaid, That no person shall suffer any punishment for any offence committed against this act, unless the prosecution of the same be commenced within fourteen days after the same be committed; and that when any person shall suffer imprisonment pursuant to this act for any offence contrary thereto, in default of payment of any penalty hereby imposed for the breach of any of the rules, orders, and ordinances, which shall or may be made for the court of mayor and aldermen as aforesaid, such person shall not be liable afterwards to pay such penalty.

X. Be it enacted by the authority aforesaid, That if any person or persons shall think him, her, or themselves aggrieved by the order or judgment of any justice of the peace upon account of any offence committed or supposed to be committed against this act, it shall and may be lawful for such person or persons to appeal to the next general or quarter sessions of the peace to be holden for the county, city, or place, where any such conviction shall be made, the person or persons so appealing, first giving security in the sum forfeited before such justice or justices in their respective jurisdictions to prosecute such appeal with effect, and to abide by the order or orders which shall be made on such appeal, and giving fourteen days notice in writing of such intentions to appeal to the party or parties, on whose prosecution such conviction was founded, if there are so many days between the time of the conviction and such general or quarter sessions, and if there are not, then to the next subsequent general or quarter sessions which shall be held after any such conviction; and the justices in the next general or quarter sessions are hereby authorized to hear and determine every such appeal, and to make such order therein, and to award such costs, as to them shall appear to be just, and to cause to be levied

A. D. 1777-8. Chap. 24.

under the order of any ſuch ſeſſion the coſts which ſhall be awarded, together with ſuch ſum of money as any ſuch court or ſeſſion on the hearing any ſuch appeal ſhall adjudge to be forfeited, by diſtreſs and ſale of the goods and chattles of the perſon who ſhall refuſe to pay ſuch coſts and ſums of money forfeited, or of the perſon and perſons who ſhall have become ſurety or ſureties for him as aforeſaid.

XI. Be it enacted by the authority aforeſaid, That no order or proceedings, to be made or had by or before any juſtice of the peace by virtue of this act, ſhall be quaſhed or vacated for want of form.

XII. And for the more eaſy und ſpeedy conviction of offenders againſt this act, be it further enacted by the authority aforeſaid, That all and every juſtice and juſtices of the peace, before whom any perſon or perſons ſhall be convicted of any offence againſt this act, ſhall and may cauſe the conviction to be drawn up in the following form of words, or words to the ſame effect, as the caſe ſhall happen.

Be it remembered, that on the day of in the year of our Lord A. B. *is convicted before me* C. D. *one of his Majeſty's juſtices of the peace of the city of* Dublin, *or liberties thereof* (as the caſe ſhall happen) *either on his own confeſſion, or on the oath of one or more credible witneſs or witneſſes* (as the caſe ſhall be) *by virtue of an act made in the eighteenth year of his preſent Majeſty King* George *the third, to prevent the miſchiefs that ariſe from driving cattle within the city of* Dublin *and liberties thereof, (ſpecifying the offence, and time and place when and where the ſame was committed* as the caſe ſhall be.) *Given under my hand and ſeal the day and year above written.*

XIII. Be it enacted by the authority aforeſaid, That if any action or ſuit ſhall be brought or commenced againſt any perſon or perſons for any thing done in purſuance of this act, it ſhall be brought or commenced within ſix calendar months, next aftery every ſuch cauſe of action ſhall have accrued, and not afterwards, and ſhall be brought, laid, and tried in the county, city, or place, in which ſuch offence ſhall have been committed, and not elſewhere; and the defendant or defendants in ſuch action or ſuit may plead the general iſſue, and give this act and the ſpecial

matter in evidence at any trial or trials, which ſhall be had thereon, and that the ſame was done in purſuance and by authority of this act; or if any ſuch action or ſuit ſhall not be commenced within the time before limited, or ſhall be laid or brought in any other county, city, or place, than where the offence ſhall have been committed, then and in every ſuch caſe or caſes if the jury or juries ſhall find for the defendant or defendants, or if the plaintiff or plaintiffs ſhall become nonſuit, or diſcontinue his action or actions, or if judgment ſhall be given for the defendant or defendants therein, then and in any of the caſes aforeſaid ſuch defendant or defendants ſhall have treble coſts, and ſhall have ſuch remedy for recovering the ſame, as any defendant or defendants hath or may have for his or their coſts in any other caſes by law. A. D. 1777-8.

XIV. Be it enacted by the authority aforeſaid, That this act ſhall continue and be in force for the term of three years, and from thence to the end of the then next ſeſſion of Parliament.

XV. Be it enacted by the authority aforeſaid, That this act ſhall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame.

XVI. And be it enacted by the authority aforeſaid, That ſaid mayor and court of aldermen be and are required to make ſuch rules, orders, and ordinances, as ſhall be neceſſary to carry ſaid act into execution and effect, within three months after paſſing the ſame.

CHAP. XXV.

An Act to explain the Statute of the twenty eighth Year of Henry the Eighth, entitled, *The Act of Faculties.*

WHEREAS doubts have ariſen, whether a dignity, canonry, or prebend in a cathedral church be compatible with any other benefice, or may be holden together with the ſame without firſt obtaining a diſpenſation for ſuch purpoſe: And whereas according to the practice in this kingdom many benefices are in fact ſo holden, and the titles thereunto reſpectively are conſequently expoſed to ſuch doubts: in remedy whereof be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all perſons, who were in the actual poſſeſſion of any dignity, 28 *H.* 8. *c.* 19.

A. D. 1777-8.

canonry, or prebend in a cathedral church, together with any other benefice or benefices, on or before the twenty fifth day of December last, may hold, poſſeſs, and enjoy the ſame in like manner, as if a diſpenſation had been regularly and in due time obtained for holding the ſame; any law or uſage to the contrary hereof in any wiſe notwithſtanding.

dignity, canonry, or prebend, poſſeſſed with other benefice 25 December laſt, enjoyed as if diſpenſation regularly obtained,

II. Provided, That nothing herein contained ſhall extend to or affect any act, matter, or thing done, or ſuit commenced, before the ſaid twenty fifth day of December laſt for voiding any eccleſiaſtical benefice, dignity, canonry, or prebend on account of ſuch incompatibility as aforeſaid.

Acts or ſuits before not effected.

CHAP. XXVI.

An Act to amend an Act paſſed in the eleventh Year of the Reign of his preſent Majeſty, entitled, *An Act to regulate the Trials of controverted Elections or Returns of Members to ſerve in Parliament.*

11 *G.* 3. c. 12.

WHEREAS it is expedient to amend the ſaid act in ſome particulars: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if the name of any member, who has ſerved on a ſelect committee during the ſame ſeſſion, ſhall be drawn, his name ſhall be ſet aſide, and he ſhall be deemed incapable of ſerving on ſuch ſelect committee, unleſs the houſe ſhall before the day appointed for taking into conſideration the ſaid petition have reſolved, that the number of members, who have not ſerved on ſuch ſelect committees in the ſame ſeſſion, is inſufficient to fulfil the purpoſes of the ſaid act reſpecting the choice of ſuch ſelect committee.

member's name, who ſerved on ſelect committee the ſame ſeſſion, ſet aſide, if drawn,

unleſs the number not ſerving inſufficient.

II. And whereas it is not provided in ſaid act in caſe of the abſence of the chairman, who ſhall report his abſence to the houſe: be it enacted by the authority aforeſaid, That the member, whoſe name was firſt drawn in the houſe, or in caſe of his abſence the member whoſe name was ſecond drawn in the houſe, or in caſe of his abſence the member whoſe name was third drawn in the houſe, ſhall report the ſame; and in caſe of the non attendance of ſuch chairman at the next meeting of the committee, they ſhall proceed to elect another chairman in his room.

Chairman's abſence reported by 1ſt drawn member,

if abſent, by 2d or 3d.

not attending next meeting, another choſen.

CHAP.

A. D. 1777-8.

CHAP. XXVII.

An Act to direct the Application of the Sum of Five Thousand Pounds, granted this Session to the Commissioners appointed by Act of Parliament for making wide and convenient Passages through the City of Dublin, and for the further Improvement thereof.

WHEREAS by an act passed this session, entitled, *An act for granting unto his Majesty an additional duty on beer, ale, strong waters, wines, tobacco, hides, and other goods and merchandizes therein mentioned, and for prohibiting the importation of all gold and silver lace, and of all cambricks and lawns, except of the manufacture of Great Britain*, a sum of five thousand pounds was granted to the commissioners appointed by act of Parliament for making wide and convenient passages through the city of Dublin, to be by them expended in widening that part of the approach from his Majesty's castle of Dublin to the Parliament house, between the castle gate and George's lane, to be accounted for to Parliament: and whereas upon examination it may be found more expedient to make a passage from the castle of Dublin to the Parliament house and college green in a different line from that, which is described in the said act, and that the same may be executed at less expence to the publick: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present Parliament assembled, and by the authority of the same, That no part of the said sum of five thousand pounds, except as herein after mentioned, shall be applied, until the said commissioners shall have first valued (pursuant to the powers in them vested) the houses and grounds necessary to be purchased in order to make such passage through the different lines, which may be proposed for the same.

No part of 5000l. (except as herein) by 17 & 18 G. 3. c. 1. s. 17. granted to commissioners for making passages thro' Dublin, shall be applied, till they value purchases in the different lines proposed.

II. And be it enacted by the authority aforesaid, That as soon as such lines shall have been surveyed, and such valuation made as aforesaid, separate accounts and estimates of the whole expence of such line shall be laid before the said commissioners at a general meeting, of which twenty one days previous notice at the least shall be given in the Dublin Gazette, exclusive of the day of publishing such notice and of the day of such meeting; and the said commissioners, or the major part of them shall at such meeting determine, through which of the said lines such passage shall be made.

Separate estimates at meeting on 21 days notice,

the line then determined,

A. D. 1777-8.

III. Provided always, That no ſuch determination ſhall be concluſive, unleſs ſuch determination ſhall be made by fifteen of the commiſſioners appointed by the former act.

By 15 commiſſioners.

IV. And be it enacted by the authority aforeſaid, That as ſoon as ſuch determination ſhall have been ſo made as aforeſaid, the ſaid commiſſioners ſhall apply the ſaid ſum of five thouſand pounds towards making ſuch paſſage through ſuch line ſo determined on.

The 5000l. then applied thereto.

V. Provided always, That the ſaid commiſſioners may apply ſuch part of the ſaid ſum of five thouſand pounds, as may be neceſſary, to defray the expence of making ſuch ſurveys and valuation as aforeſaid.

Surveys and valuation defrayed thereout.

VI. Provided always, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid commiſſioners, or any fifteen or more of them, to contract with any perſon or perſons, who ſhall undertake to lay open and make ſuch paſſage in the line ſo agreed upon within a certain time to be mentioned in ſuch contract; and in conſideration thereof to convey, transfer, and aſſign to ſuch perſon or perſons, ſo contracting with ſaid commiſſioners, all ſuch houſes and lands, as ſhall be purchaſed or valued, and veſted in the ſaid commiſſioners for the purpoſe of making ſuch paſſage, and alſo ſuch part of ſaid ſum of five thouſand pounds as ſhall remain unapplied as aforeſaid.

25 may contract for making ſuch paſſage in certain time, and for that purpoſe convey the purchaſes and unapplied ſum.

CHAP. XXVIII.

An Act for preſerving the Health of Priſoners in Gaol and preventing the Gaol Diſtemper.

Enforced and amended by 21 & 22 *G.* 3. *c.* 42.

WHEREAS the malignant fever, that is commonly called the gaol diſtemper, is found to be owing to want of cleanlineſs and freſh air in the ſeveral gaols in the city of Dublin and kingdom of Ireland, and the fatal conſequences of that diſorder, of which there has been of late too much experience, might be prevented, if juſtices of the peace were duly authorized to provide ſuch accommodations in gaols, as may be neceſſary to anſwer this ſalutary purpoſe: therefore be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, that the ſeveral juſtices of the peace of the kingdom of Ireland within their ſeveral juriſdictions in their quarter ſeſſions aſſembled may be authorized

rized and impowered to order the walls and cielings of the ſeveral cells and wards both of the debtors and the felons, and alſo of any other rooms uſed by the priſoners in their reſpective gaols and priſons, to be ſcraped and white waſhed once in the year at leaſt, and as often as to them ſhall ſeem meet, and to be regularly waſhed and kept clean, and conſtantly ſupplied with freſh air by means of hand ventilators, or otherwiſe to order two rooms in each gaol or priſon, one for the men and the other for the women, to be ſet apart for the ſick priſoners, directing them to be removed into ſuch rooms as ſoon as they ſhall be ſeiſed with any diſorder, and kept ſeparate from thoſe who ſhall be in health, to order a warm and cold bath, or commodious bathing tubs, to be provided in each gaol or priſon, and to direct the priſoners to be waſhed in ſuch warm or cold baths or bathing tubs, according to the condition in which they ſhall be at the time, before they are ſuffered to go out of ſuch gaols or priſons upon any occaſion whatever; to order the requiſitions of this act to be painted in large and legible characters upon a board, and hung up in ſome conſpicuous place of each of the ſaid gaols and priſons, and to appoint an experienced ſurgeon or apothecary at a ſtated ſalary, not exceeding ten pounds *per annum*, to attend each gaol or priſon reſpectively; who ſhall be directed to report to the ſaid juſtices, by whom he is appointed, at each quarter ſeſſions a ſtate of the health of the priſoners under his care or ſuperintendance.

Cells and wards and priſon rooms ordered at ſeſſions to be ſcraped and white waſhed once a year at leaſt,

kept clean and aired,

ſeparate rooms for ſick men and women,

a warm and cold bath or tubs,

in which priſoners waſhed before going out,

this act hung up in each gaol,

a ſurgeon or apothecary to attend, ſalary not above 10l.

to report at ſeſſions.

II. And be it further enacted by the authority aforeſaid, that the ſaid juſtices of the peace in their ſaid quarter ſeſſion aſſembled be authorized to direct the ſeveral courts of juſtice within their reſpective juriſdictions to be properly ventilated, to order cloaths to be provided for the priſoners when they ſee occaſion, to prevent the priſoners from being kept under ground, whenever they can do it conveniently, and to make ſuch other orders from time to time for reſtoring or preſerving the health of priſoners, as they ſhall think neceſſary.

Courts ventilated,

cloaths provided for priſoners,

not kept under ground when convenient,

and other orders at ſeſſions.

III. And whereas it will be neceſſary to eſtabliſh a fund to carry the uſeful purpoſes of this act into execution: be it further enacted by the authority aforeſaid, that the grand juries of each and every county or county of a city, or county of a town, in this kingdom ſhall have power, and are required, from time to time to preſent ſuch ſum or ſums of money, as ſhall be neceſſary, to be raiſed in ſuch county in the uſual manner to pay the expences of carrying this act into execution; and if any gaoler or keeper of any priſon ſhall at any time neglect or diſobey the orders of ſuch juſtices made in purſuance of this act, he may be proceeded

G. juries to preſent expences,

gaolers on neglect fined at aſſizes or ſeſſions,

A. D. 1777-8.

ceeded againſt in a ſummary way by complaint made to the judges of aſſiſe, or to the juſtices in their quarter ſeſſions; and if he be found guilty of ſuch neglect or diſobedience, he ſhall pay ſuch fine, as the judges of aſſize or juſtices ſhall impoſe, and ſhall be committed in caſe of nonpayment.

on nonpayment committed.

CHAP. XXIX.

An act for explaining a doubt, ariſing upon the laws for ſupplying the city of Dublin with corn and flour; and alſo for leſſening the expences of ſupplying the ſaid city with the articles aforeſaid.

7 *G.* 3. c. 12.

WHEREAS certain doubts have ariſen, how far perſons bringing corn, meal, malt, or flour, from the inland parts of this kingdom to the city of Dublin by the means of any canal or inland navigation, and partly by the means of cars, carts, or waggons, may be entitled to the ſeveral premiums provided by the ſeveral acts for the better ſupplying the city of Dublin with corn and flour, the affidavits to be made, and requiſites to be performed, by the carriers and owners of ſuch commodities, not making any diſtinction between the modes of conveying of ſuch commodities, but requiring ſuch perſons only to ſet out the owners of ſuch corn and flour, the lands on which the ſame grew or were manufactured, and the number of miles ſuch lands are diſtant from the ſaid city of Dublin, in order to entitle themſelves to ſuch premiums: and whereas the expence of carriage by means of ſuch canals or navigations being much leſs than the expence of carriage by horſes, cars, carts, or waggons, it is not reaſonable, that the publick ſhould be ſubject to ſo conſiderable a charge on account of the ſame: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of January one thouſand ſeven hundred and ſeventy nine there ſhall be payable from time to time for all ſuch corn, (oatmeal excepted) malt, or flour, brought to the ſaid city of Dublin along any ſuch canal or inland navigation, two third parts of the premiums which ſhall be payable at ſuch time for the other inland carriage of ſuch corn, meal, malt, or flour, and no more; and for all oatmeal, brought to the ſaid city of Dublin along ſuch canal or navigation, ſuch premium as ſhall be payable at ſuch time for the other inland

For corn, malt, or flour, brought to *Dublin* by canal, 2-3ds of premium for other inland carriage,

except for oatmeal, the premium for other carriage.

A. D. 1777-8.

carriage of ſuch oatmeal, any law heretofore made to the contrary notwithſtanding.

Miles paid for by the ſhorteſt road from the caſtle.

II. Provided always, that in computing the ſaid premiums the number of miles to be paid for ſhall be no more, than the place, from which ſuch corn, meal, malt, or flour ſhall be brought, ſhall appear to be diſtant from the caſtle of Dublin by the ſhorteſt road ſubſiſting at the time of claiming ſuch premium.

CHAP. XXX.

An act to continue an act paſſed in the eleventh year of his preſent Majeſty's reign, entitled, *An act to oblige ſhips more effectually to perform their quarantine, and for the better preventing the plague being brought from foreign parts into Ireland, and to hinder the ſpreading of infection.*

11 *G.* 3. c. 11. continued 7 years from 24 *June* 1778, &c.

WHEREAS an act of parliament made in this kingdom in the eleventh year of the reign of his preſent Majeſty King George the third, intitled, *An act to oblige ſhips more effectually to perform their quarantine, and for the better preventing the plague being brought from foreign parts into Ireland, and to hinder the ſpreading of infection,* hath been found to be of great uſe, but will expire at the end of the ſeſſion of parliament next after the firſt day of May one thouſand ſeven hundred and ſeventy eight: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the ſaid act, and every clauſe, matter, and thing therein contained, ſhall be further continued for the ſpace of ſeven years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, and to the end of the then next ſeſſion of parliament, and no longer.

CHAP.

A. D. 1777-8.

CHAP. XXXI.

An act for continuing an act, entitled, *An act for amending an act passed in the twenty ninth year of the reign of his late Majesty King George the second*, entitled, *An act for the further encouragement of tillage.*

13 G. 3. c. 11. continued to 25 Dec. 1781.

WHEREAS an act passed in the thirteenth year of the reign of his present Majesty, entitled, *An act for amending an act passed in the twenty ninth year of king George the second*, entitled, *An act for the further encouragement of tillage*, hath been found beneficial to this kingdom: be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that the said act may be continued until the twenty fifth day of December one thousand seven hundred and eighty one.

to 25 Dec. 1785, by 19 & 20 G. 3. c. 14. s. 4.

CHAP. XXXII.

An act for regulating the price and assize of bread, and preventing frauds and impositions in the sale of flour, meal, beer, ale, potatoes, butcher's meat, and other articles, sold by weight or measure in the county of Dublin.

WHEREAS several doubts have arisen in regard to the regulating of the assize and price of bread; and as little or no observance has been made in many places of the proper weights and measures; and ill disposed persons taking advantage thereof have fraudulently imposed upon, deceived, and oppressed his Majesty's subjects, and more especially the poorer sort, and that a plain and constant rule and method may henceforward be duly observed and kept in the making and assizing of the several sorts of bread, made or exposed to sale in the county of Dublin: be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the twenty fourth day of June in the year of our Lord one thousand seven hundred and seventy eight all bread, made or exposed to sale in the county of Dublin, shall be made according to the manner and assize of bread struck by the lord mayor of the city of Dublin for the

Bread in county *Dublin* made by assize struck for the city,

city

city of Dublin; and that all meal and flour, ſold in the ſaid county, ſhall be ſold ſubject to the ſame regulations and price as ſettled by the lord mayor of the city of Dublin for the ſaid city: and that no perſon whatſoever ſhall make for ſale, or ſell or expoſe to ſale, any ſort of bread other than the ſeveral ſorts of bread herein after mentioned, that is to ſay, white and houſhold bread; all which ſaid ſeveral ſorts of bread ſhall be made in their ſeveral and reſpective degrees according to the goodneſs of the ſeveral ſorts of grain, whereof the ſame ought to be made; and the aſſize and weight of the ſaid white and houſhold bread made of wheat ſhall be according to the weekly price and aſſize, appointed by the lord mayor of the city of Dublin for the ſaid city.

meal and flour ſold by ſame regulations and price,

white and houſhold only ſold,

made according to goodneſs of grain, and the weekly price and aſſize by lord mayor.

II. And to the intent that the good deſign of this act may be effectually complied with, be it enacted by the authority aforeſaid, that every common baker, and every perſon who ſhall make or bake bread for ſale, or any ways expoſe to ſale any ſort of bread whatſoever, in the ſaid county of Dublin, ſhall from and after the twenty fourth of June one thouſand ſeven hundred and ſeventy eight fairly imprint or mark, or cauſe to be fairly imprinted or marked, on every loaf of bread ſo by him or her made, ſold, or expoſed to ſale, the quality and name of the baker of ſuch loaf, according to the rules and aſſize as directed to be obſerved in the city of Dublin by the lord mayor of the ſaid city; and if any baker or other perſon or perſons baking or making bread for ſale, or expoſing bread to ſale, ſhall bake, make, ſell, or expoſe to ſale any bread, which ſhall be deficient in weight according to the aſſize of bread, to be ſet purſuant to the directions of this act, or ſuch other rules and orders as ſhall be from time to time made as aforeſaid, he, ſhe, or they ſo offending, being thereof lawfully convicted, ſhall forfeit the ſum of five ſhillings, and for not being marked as aforeſaid the ſum of two ſhillings and ſix pence for each loaf; ſuch bread being complained of and weighed before a magiſtrate, or juſtice or juſtices of the peace, or any ſeneſchals, within their reſpective juriſdictions, within forty eight hours after the ſame ſhall be baked or expoſed to ſale within the county of Dublin; all which penalties ſhall be recovered upon conviction of the party by confeſſion, or by the oath of one or more credible witneſs or witneſſes, before any magiſtrate, juſtice of the peace, of the county of Dublin, or before any of the ſeneſchals in their reſpective juriſdictions within the ſaid county; to be levied by way of diſtreſs upon the goods and chattles of every ſuch offender by warrant under

Bread ſold in county *Dublin* marked with the quality and name of baker, as by rules and aſſize by lord mayor for the city,

if deficient in weight 5s. if not marked 2s. 6d. *per* loaf,

on complaint and weighing before magiſtrate in 48 hours,

penalties on conviction by diſtreſs on warrant.

A. D. 1777-8. Chap. 32.

the hand and seal of such magistrate, justice of the peace, or seneschal, before whom such conviction shall be made, returning the overplus.

Appeal to next sessions,

III. Provided always, that if any person so convicted shall think him or herself aggrieved, he or she shall and may make his or her appeal in writing to the next general quarter sessions of the peace held for said county, where the same shall be heard in a summary manner, and finally determined; and if the person so appealing shall not make good such his or her appeal, or prosecute it with effect, the said court of sessions shall award such costs, as they shall think proper and reasonable, not exceeding the sum of five pounds, and commit the offender to the common gaol of the county, until he or she shall make payment of said costs, and also of the penalty adjudged on the said conviction.

costs not above 5l.

imprisoned till payment.

Mixing other grain than by assize settled, 5s.

IV. And be it further enacted by the authority aforesaid, that if any baker or seller of bread shall put into any bread by him sold, or exposed to sale, any mixture of any other grain, than what shall be appointed by the assize settled as aforesaid, every such person so offending shall for every such offence forfeit the sum of five shillings, to be had and recovered in manner and form before mentioned; and if any magistrate, justice of the peace, or seneschal, shall, on due information made to him or them of any offences committed against this act, wilfully and willingly omit the performance of his duty thereupon in the execution of this act, or neglect to pay the penalties or forfeitures, when levied, to the treasurer of the infirmary of the county of Dublin, he shall forfeit the sum of five pounds sterling, to be recovered by civil bill before the chairman and justices at the general quarter sessions held in and for the county of Dublin.

magistrate neglecting duty, or to pay penalties to county infirmary, 5l. by civil bill at sessions.

May by day enter, search for, and weigh bread,

V. And that the good intent and design of this act may be the more effectually accomplished, be it further enacted by the authority aforesaid, that it shall and may be lawful for any magistrate, justice of the peace, or seneschal, within their respective jurisdictions in the said county of Dublin, during the continuance of this act, to enter (in the day time) into any house, shop, stall, bakehouse, warehouse, or outhouse of or belonging to any baker or seller of bread, there to search for, view, weigh, or try all or any of the bread of such person or persons, as shall be there found; and if any bread shall be there found deficient either in the goodness of the materials, whereof the same shall be made, or be deficient in the due baking or working thereof, or shall be wanting in the due weight, or shall not be truly

if deficient in materials, working, or weight, or not marked, seized,

truly marked according to the directions of this act, or ſhall be of any other ſort, than ſhall be allowed by virtue of this act, that then and in ſuch caſe ſuch magiſtrate, juſtice of the peace, or ſeneſchals as aforeſaid, are hereby ſeverally and reſpectively authorized and empowered to take and ſeize the ſaid bread ſo found, and cauſe the ſame to be forthwith given and diſtributed to the poor of the pariſh, where ſuch ſeizure ſhall be made, or to the debtors confined in the county gaol, at their diſcretion; and if any baker or ſeller of bread, or other perſon or perſons, ſhall not permit or ſuffer ſuch ſearch or ſeizure to be made, or ſhall oppoſe, hinder, or reſiſt the ſame, he, ſhe, or they ſo offending ſhall for every ſuch offence forfeit the ſum of forty ſhillings, to be recovered and had in the ſummary manner and form herein before mentioned for puniſhing bakers in not obſerving the weight of their bread.

to the poor or debtors,

reſiſting ſearch, 40s.

VI. And whereas frauds and impoſitions have been committed in the ſale of bread, flour, meal, butcher's meat, hay, ſtraw, and other articles uſually ſold by weight, and in the ſale of beer, ale, and other articles uſually ſold by meaſure: be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June, which ſhall be in the year of our Lord one thouſand ſeven hundred and ſeventy eight, that all weights and meaſures, uſed in the ſale of ſuch articles in the county of Dublin, ſhall be regulated according to the ſtandard weights and meaſures uſed in the city of Dublin, and ſhall be ſealed and marked by the perſon, appointed to ſeal or mark ſuch weights and meaſures in the city of Dublin, at the expence of the owner of ſuch weights and meaſures.

Weights and meaſures in county *Dublin* regulated by city ſtandard, and ſealed at owner's expence.

VII. And to the further intent that the good deſign of this act may be effectually complied with, be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June, which ſhall be in the year of our Lord one thouſand ſeven hundred and ſeventy eight, any perſon or perſons uſing weights or meaſures in the ſale of ſuch articles in the county of Dublin, that are not ſealed or marked as aforementioned, ſhall forfeit the ſum of two ſhillings and ſix pence for each and every ſuch weight and meaſure, and the like ſum for each and every ſuch weight and meaſure as are deficient in the ſtandard as before mentioned; and ſuch weights and meaſures ſhall be forfeited to the uſe of his Majeſty; and in caſe of non payment of the ſaid penalty ſuch perſon or perſons, owning or uſing ſuch weights or meaſures, ſhall be committed to the common gaol of the ſaid county

if deficient, and not ſealed, forfeited, and 2s. 6d. each,

on nonpayment impriſoned 48 hours.

A. D. 1777-8. Chap. 32.

county, there to remain without bail or mainprize for the ſpace of forty eight hours, the ſaid penalty to be had and recovered as the penalties in the former part of this act are directed to be recovered.

Read in court 1ſt day every ſeſſion by clerk of peace,

VIII. And for the better obſervance of this act be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June, which ſhall be in the year of our Lord one thouſand ſeven hundred and ſeventy eight, the clerk of the peace for the county of Dublin, or in his abſence his deputy, ſhall read this act in open court on the firſt day of every general quarter ſeſſion, that ſhall be held in and for the ſaid county; and in caſe of failure thereof the ſaid clerks of the peace ſhall forfeit the ſum of forty ſhillings, to be ſued for and recovered as the other penalties herein before mentioned.

penalty 40s.

Penalties to county hoſpital,

IX. And be it further enacted by the authority aforeſaid, that all the penalties herein mentioned ſhall go to and be paid to the treaſurer of the county of Dublin hoſpital for the uſe of the hoſpital, and that the treaſurer thereof ſhall keep a fair and diſtinct account of the ſame.

diſtinct account kept.

No other proſecution.

X. Provided always, that no perſon, puniſhed by virtue of this act, ſhall be for the ſame offence proſecuted on any other law, ſtatute, uſage, or cuſtom whatſoever.

Defendants may plead general iſſue, and have treble coſts.

XI. And be it further enacted by the authority aforeſaid, that in caſe any perſon or perſons ſhall be ſued or proſecuted for any thing, he ſhall do in execution of this act, the defendant may plead the general iſſue, and give the ſpecial matter in evidence; and if a verdict ſhall paſs for the defendant, or the plaintiff be nonſuited, or judgment ſhall paſs for the defendant in ſuch ſuit, ſuch defendant ſhall recover treble coſts.

Continued 2 years from 24 *June* 1778, &c. *and 2 years, &c. by* 19 & 20 *G.* 3. *c.* 15. *ſ.* 3.

XII. Provided always, that this act ſhall be and continue in force for two years, from the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, and until the end of the then next ſeſſion of parliament after the ſaid two years.

5

CHAP.

A. D. 1777-8.

CHAP. XXXIII.

An Act for preventing the cutting or destroying of plain, stained, or printed linens, cottons, lawns, or muslins, or any other manufactured goods.

WHEREAS the printing and staining linens, cottons, and muslins is at present, and has been for several years past, a very considerable manufacture in this kingdom, and of great national importance, as it gives employment to many persons of both sexes, has produced an additional home and foreign consumption of Irish linens, and is still capable of many further improvements: and whereas sundry evil minded disorderly persons have at different times for some time past cut and destroyed garments of plain, printed, and stained linens, cottons, lawns, and muslins on the wearers backs, and have also in a riotous and disorderly manner gone into the shops, warehouses, and bleachgreens of several persons, who were artificers of the said manufacture and of other manufactures of this kingdom, and there cut and destroyed the same to the great prevention of the increase and consumption of the said manufacture; and at length arrived at such a degree of daring insolence as to threaten the lives and properties of many useful and industrious inhabitants, and to march through several of the principal streets in the city of Dublin, and denounce vengeance with the most horrid threats against all wearers and venders of printed manufactures, and presumed to disperse printed hand bills declaratory of such their dangerous and illegal intentions; by means whereof considerable quantities of the said manufactures remain undisposed of in the hands of the several persons, who dealt therein, to their great loss and injury: be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the first day of May one thousand seven hundred and seventy eight all and every person or persons whatsoever, who shall wilfully or maliciously cut or otherwise destroy any plain, painted, stained, or printed linens, cottons, lawns, or muslins, or any manufactured goods of wool, silk, or hair, when in wear or use of any person or persons whatsoever, or in the bleachgreen, warehouses, shops, or any other place whatsoever in this kingdom, or shall destroy any wool, and shall be thereof lawfully

To cut or destroy linens, cottons, lawns, muslins, or goods of silk, wool, or hair, in wear or use, or in bleachgreen, shop, or other place, or destroy wool,

A. D. 1777-8.

lawfully convicted ſuch perſon or perſons ſhall be adjudged and conſtrued guilty of felony; and every ſuch felon and felons ſhall be ſubject and liable to the like pains and penalties as in caſes of felony; and the court, by and before whom ſuch perſon or perſons ſhall be tried, ſhall and hereby have power and authority to tranſport ſuch felons for the ſpace of ſeven years, in like manner as other felons are directed to be tranſported by the laws and ſtatutes of this realm.

felony, tranſportation 7 years.

II. Provided always, that in caſe any law or laws ſhall be paſſed in this kingdom to authorize for a limited time the puniſhment by hard labour of perſons, who for certain crimes are or ſhall become liable to be tranſported to any of his Majeſty's colonies and plantations, it ſhall and may be lawful, if ſuch court ſhall think fit, in the place of ſuch puniſhment by tranſportation to order and adjudge, that ſuch perſon or perſons ſhall be puniſhed by being kept to hard labour in ſuch places and manner as is or ſhall be directed by any ſuch law or act, for ſuch term of years as the court ſhall think fit: provided the ſame ſhall in no caſe be more than ſeven years: and that all and every perſon and perſons, who ſhall be aiding, abetting, or aſſiſting in wilfully or maliciouſly cutting or otherwiſe deſtroying any plain, painted, ſtained, or printed linens, cottons, lawns, or muſlins, or any manufactured goods of wool, ſilk, or hair, in wear or uſe of any perſon or perſons whatſoever, or in the bleachgreen, warehouſes, ſhops, or any other place whatſoever in this kingdom, or ſhall deſtroy any wool, and ſhall be thereof lawfully convicted, ſhall be liable to the ſame puniſhments, as if he, ſhe, or they had wilfully or maliciouſly cut or otherwiſe deſtroyed the ſame.

Or, as by law directed kept to hard labour 7 years,

like puniſhment aiding or abetting.

CHAP. XXXIV.

An act for the encouragement of tillage, and rendering the carriage of corn to the city of Dublin leſs expenſive.

WHEREAS the granting a bounty upon the carriage by water coaſtways of wheat, beans, peas, oats, bere, barley, flour of wheat, malt, and oatmeal from the northern and ſouthern parts of this kingdom to the city of Dublin will be a further encouragement to tillage and navigation, and tend to leſſen the expence of the bounties on the inland carriage: be it enacted by the king's moſt excellent Majeſty by and with the

advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that all and every perſon and perſons, who ſhall from and after the firſt day of Auguſt one thouſand ſeven hundred and ſeventy eight import any ſound, merchantable wheat, beans, peas, oats, bere, or barley, or any flour of wheat, malt made of bere or barley, or oatmeal, of the growth and produce of this kingdom, by water coaſtways to the city of Dublin from any port or place to the ſouthward of Dublin, not nearer thereto than Wicklow, nor farther therefrom than the Tuſcar, or from any port or place to the northward of Dublin not nearer thereto than Drogheda, nor farther therefrom than Carrickfergus, and ſhall ſell and diſcharge the ſame in the publick markets or places, where corn, flour, malt, or oatmeal are uſually ſold in Dublin, ſhall, upon performing the ſeveral requiſites herein after mentioned, receive from the collector of the port of Dublin for the time being, or the officer appointed for paying the premium upon the inland carriage of corn and flour to Dublin, the ſum of four pence *per* hundred weight for each and every hundred weight of ſuch wheat, beans, peas, oats, bere, barley, or oatmeal, imported or brought into Dublin as aforeſaid, and the ſum of twelve pence *per* hundred weight for each and every hundred weight of ſuch flour made of wheat, and malt made of bere or barley, imported or brought into Dublin as aforeſaid.

4d. *per* 100 for corn, &c. 12d. *per* 100 flour and malt, imported to *Dublin* coaſtways, from *Wicklow* to the *Tuſcar* ſouth, *Drogheda* to *Carrickfergus* north, and diſcharged in publick market,

On performing requiſites, paid by collector or officer for premiums on inland carriage.

II. And be it further enacted by the authority aforeſaid, that all and every perſon and perſons, who ſhall from and after the ſaid firſt day of Auguſt one thouſand ſeven hundred and ſeventy eight import or bring any ſuch ſound, merchantable wheat, beans, peas, oats, bere, or barley, or flour of wheat, malt made of bere or barley, or oatmeal of the growth and produce of this kingdom from any port or place to the ſouthward of the Tuſcar, or from any port or place to the northward of Carrickfergus, by water coaſtways to the city of Dublin, and ſhall ſell and diſcharge the ſame in the publick markets or places, where ſuch wheat, beans, peas, oats, bere, or barley, or flour of wheat, malt, or oatmeal are uſually ſold in Dublin, ſhall in like manner upon performing the requiſites herein after mentioned receive from the collector of the port of Dublin for the time being the ſum of five pence *per* hundred weight for each and every hundred weight of ſuch wheat, beans, peas, oats, bere, or barley, or oatmeal, and the ſum of one ſhilling and two pence *per* hundred weight for each and every hundred weight of

5d. *per* 100 corn, &c. 1s. 2d. *per* 100 flour and malt, from ſouth of *Tuſcar* and north of *Carrickfergus*.

A. D. 1777-8. Chap. 34.

of ſuch flour of wheat, and malt made of bere or barley, ſo brought or imported into Dublin from any port or place to the ſouthward of the Tuſcar, and the northward of Carrickfergus, and ſold as aforeſaid.

Notice by maſter and real owner to the collector of the quantity and quality to be ſhipped,

III. And be it further enacted by the authority aforeſaid, that the maſter of the ſhip, boat, or veſſel, in which ſuch wheat, beans, peas, oats, bere, or barley, or flour of wheat, malt made of bere or barley, or oatmeal, ſhall be brought to the city of Dublin, and likewiſe the real owner of ſuch wheat, beans, peas, oats, bere, or barley, or flour of wheat, malt made of bere or barley, or oatmeal, ſhall before the ſame ſhall be ſhipped, give notice thereof in writing to the collector or principal officer of the port or diſtrict, where the ſame ſhall be ſhipped, and ſhall ſpecify in ſuch notice the quantity and quality of ſuch wheat, beans, peas, oats, bere, or barley, or flour of wheat, malt made of bere or barley, or oatmeal, intended to be ſhipped; and ſuch collector or principal officer ſhall thereupon direct one of the officers of ſuch port or diſtrict to attend the ſhipping of the ſame; and as ſoon as the ſame ſhall be ſhipped, ſuch officer ſhall make a return in writing to ſuch collector or principal officer of the quantity and quality of ſuch wheat, beans, peas, oats, bere, or barley, or flour of wheat, malt, or oatmeal ſo ſhipped; and in ſuch return the name of the ſhip, boat, or veſſel, in which ſuch wheat, beans, peas, oats, bere, or barley, or flour of wheat, malt, or oatmeal ſhall be ſo ſhipped, and of the maſter thereof, ſhall be ſpecified, and alſo the time of ſhipping the ſame; and the ſaid return ſhall be ſigned by ſuch officer making the ſame; and the quantity, for which the premiums ſhall be paid, ſhall not exceed the quantity ſet forth in ſuch return; and the maſter of ſuch ſhip, boat, or veſſel ſhall, after ſuch wheat, beans, peas, oats, bere, or barley, or flour of wheat, malt, or oatmeal, ſhall be ſo ſhipped, make an affidavit before ſuch collector or before ſome neighbouring juſtice of the peace (which oath they are hereby reſpectively impowered and required to adminiſter without fee or reward) of the quantity and quality of ſuch wheat, beans, peas, oats, bere, or barley, or flour of wheat, malt, or oatmeal ſo ſhipped, and likewiſe the owner or owners of ſuch articles ſo ſhipped ſhall make like affidavit or affidavits in manner aforeſaid, mentioning his or their place or places of reſidence reſpectively, and the quantity and quality of the articles ſo ſhipped by him or them reſpectively, and that the ſame are of the growth of this kingdom, and that no part of any ſuch wheat, beans, peas, oats, bere, or barley, or flour of wheat, malt, or oatmeal ſo ſhipped, has ever received any bounty for carriage by land or coaſtways; and ſuch collector

collector to direct an officer to attend and make return,

premium not to exceed return,

affidavits after ſhipping made by maſter, and owner, of the quantity and quality ſhipped, his reſidence, of *Iriſh* growth, and no bounty received,

or

or principal officer ſhall thereupon deliver to ſuch maſter a certificate under his hand and ſeal, in which ſhall be mentioned the quantity and quality of ſuch wheat, beans, peas, oats, bere, or barley, or flour of wheat, malt, or oatmeal ſo ſhipped, and alſo the name of the maſter and owner or owners of ſuch cargo, and his or their place of reſidence; and ſuch collector or principal officer ſhall by the next poſt tranſmit to the collector of the port of Dublin true copies of all ſuch returns, affidavits, and certificates, which copies he is required to file and keep ſafe.

Collector to give maſter a certificate, and next poſt tranſmit copies of all to *Dublin* collector to be filed.

IV. And be it further enacted by the authority aforeſaid, that the maſter of every ſuch ſhip, boat, or veſſel, ſhall upon his arrival in the city of Dublin deliver to the collector of the port of Dublin ſuch certificate, and ſhall alſo make an affidavit before ſuch collector or officer (which ſuch collector or other officer is hereby impowered and required to adminiſter without fee or reward) in which ſhall be mentioned the quantity and quality of ſuch wheat, beans, peas, oats, bere, or barley, or flour of wheat, malt, or oatmeal ſo brought, the name or names of the owners thereof, and the place from whence he brought the ſame.

Maſter on arrival ſhall give certificate to collector, and affidavit of quantity and quality, owner's name, and place whence.

V. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall forge any ſuch certificate, affidavit, or note, or if any perſon or perſons ſhall produce to ſuch collector or officer any ſuch certificate, affidavit, or note, knowing the ſame to be forged, or ſhall knowingly ſwear any thing, that is falſe, in any ſuch affidavit, he, ſhe, or they ſhall upon conviction of any ſuch offence ſuffer ſuch puniſhment, as perſons convicted of wilful perjury are by the laws of this kingdom ſubject to.

Forging or producing forged certificate, affidavit, or note, or falſe ſwearing, puniſhed as wilful perjury.

VI. And be it further enacted by the authority aforeſaid, that ſuch and the like accounts ſhall be kept of the ſeveral payments, which ſhall be made in purſuance of this act, for all wheat, beans, peas, oats, bere, or barley, or flour of wheat, malt, or oatmeal, imported coaſtways to the city of Dublin, as are directed to be kept by the ſeveral acts relative to the premiums upon the land carriage of corn and flour brought to the city of Dublin.

Like accounts kept of payments as for premiums on land carriage.

VII. Provided always, that ſuch officer, ſo appointed for paying the ſaid premiums, ſhall not pay any premium in purſuance of this act, unleſs a certificate be produced to him under the hand and ſeal of the ſurveyor or land waiter of the port of Dublin, ſpecifying the quantity of corn, beans, peas, malt, flour, or oatmeal landed, that is found and merchantable, with the name of the ſhip, and port from whence it came, nor unleſs the collector of the ſaid port of Dublin ſhall certify in like manner

Not paid without land-waiter's and *Dublin* collector's certificate.

A. D. 1777-8.

ner, that by the copies tranſmitted to him from the collector or principal officer of the port, from whence the ſaid ſhip came, the ſeveral certificates, affidavits, and returns ſeem to him to have been made as required by this act.

No fee to officers.

VIII. And be it further enacted by the authority aforeſaid, that none of the ſaid officers herein before mentioned ſhall take any fee or reward whatſoever for any thing, he or they ſhall do in purſuance of the directions herein before given.

Continued 1 *June* 1782, &c. *to* 24 *June* 1784, *&c. by* 19 & 20 *G.* 3. *c.* 34. *ſ.* 6.

IX. And be it further enacted by the authority aforeſaid, that this act ſhall continue in force until the firſt day of June one thouſand ſeven hundred and eighty two, and to the end of the then next ſeſſion of parliament.

CHAP. XXXV.

An act to explain and amend an act, paſſed in the ſixth year of the reign of his preſent Majeſty, entitled, *An act for encouraging the planting of timber trees.*

6 *G.* 3. *c.* 17.

WHEREAS by an act paſſed in the ſixth year of the reign of his preſent Majeſty, entitled, *An act for encouraging the planting of timber trees,* it is among other things enacted, that from and after the firſt day of September one thouſand ſeven hundred and ſixty ſix if any tenant for life or lives by ſettlement, dower, curteſy, jointure, leaſe, or any office, civil, military, or eccleſiaſtical, impeachable of waſte, or any tenant for years exceeding twelve years unexpired, ſhall plant ſally, oſier, or willow, the ſole property of ſuch ſhall during the continuance of the term veſt in the tenant, and he may cut and ſell the ſame under the reſtrictions therein after mentioned; and if ſuch tenant ſhall plant any timber trees of oak, aſh, elm, firr, plane, wallnut, cheſnut, horſe cheſnut, quick, or wild aſh, alder, poplar, or other timber trees, ſuch tenant during the term ſhall be entitled to a houſe boot, plow boot, cart boot, or car boot, of ſuch trees by him planted; and at the expiration, or when ſuch trees ſhall have attained maturity, which ſhall firſt happen, ſhall be entitled to the ſaid trees or the value of them, according to the directions therein after mentioned, any covenant heretofore made, law, or uſage to the contrary notwithſtanding; and by the ſaid act it is provided, that where the expiration of the term is certain, the tenant during the laſt year of his term paying the rent, and performing the covenants, may cut and carry away the trees by him planted: and whereas conſiderable parts of the lands

lands of this kingdom are held by leaſes for terms of years from bodies corporate, eccleſiaſtical and lay, which leaſes the tenants from time to time ſurrender upon taking new leaſes of the ſame; and whereas a ſurrender in ſuch caſe may be conſidered as an expiration of the term, and thereby in many caſes defeat the good intention of the act aforeſaid: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the ſurrender of any leaſe for a term of years of lands to any body corporate, eccleſiaſtical or lay, for the purpoſe of taking a new leaſe thereof, ſhall not be conſidered as an expiration of the term ſurrendered, ſo far as the ſame reſpects the ſaid act, but that every renewal ſhall be conſidered as a further continuance of the original term, and the tenant ſhall enjoy all benefit of planting given by the act aforeſaid in as full and ample a manner as if the additional term of years had been contained in his original leaſe.

ſurrender of leaſe Y. to body corporate to take new leaſe no expiration of the term as to tenant's enjoying benefit of planting as by 6 G. 3. c 17.

the renewal a continuance of the original term.

II. And whereas the bark of ſtanding trees has been heretofore uſually ſtripped for tanning hides of cattle in bogs and other private places, and for dying linen, yarn, thread, and ſkins, by perſons in private houſes: for remedy whereof for the future be it enacted by the authority aforeſaid, that from and after the firſt day of June one thouſand ſeven hundred and ſeventy eight no perſon whatſoever, other than publick and known tanners, do tan or keep in lime or other pits in order to tan any hide or hides, ſkin or ſkins, whatever; and that no ſpinner, weaver, ſkinner, or other perſon whatever, not being a known dyer, and exerciſing the trade of a dyer, ſhall colour or dye any linen, yarn, thread, ſkins, or gloves, with the bark of any tree growing in this kingdom, not being his own property; and if any perſon ſhall be convicted thereof upon the oath of any one credible witneſs before any one juſtice of the peace within his juriſdiction, he ſhall forfeit and pay ſuch ſum of money, as to ſuch juſtice ſhall ſeem meet, not exceeding five pounds, nor leſs than forty ſhillings, together with the charges previous to and attending ſuch conviction, to be aſcertained by ſuch juſtice as ſhall convict ſuch offender; and upon non payment thereof ſuch juſtice ſhall commit ſuch offender to the common goal or houſe of correction by warrant under his hand and ſeal, there to remain without bail or mainprize for any time not exceeding three months, or until the ſaid penalty and charges ſhall be paid.

None, ſave publick tanners, ſhall tan, or keep in lime or pits, hides or ſkins,

nor, except known dyers, ſhall dye linen, &c. with bark of trees, not his own,

penalty on 1 witneſs before 1 juſtice, not above 5l. nor under 40s. and charges,

or committed not above 3 months.

A. D. 1777-8.

CHAP. XXXVI.

An act for reviving and continuing several temporary statutes.

Glebes.

WHEREAS the several temporary laws and statutes hereafter mentioned are found to be of general use, and proper to be continued: therefore be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that an act made in this kingdom in the second year of the reign of queen Anne, entitled, *An act for the exchange of glebes belonging to the churches in this kingdom*, and which was further continued by several subsequent acts, and was by an act passed in the twenty ninth year of the reign of his late Majesty king George the second continued from the making of said last mentioned act for the term of twenty one years, and to the end of the then next session of parliament, be continued in force for twenty one years, and from thence to the end of the then next session of parliament.

2 *Anne*, c. 10. continued by 29 *G.* 2. c. 8. further continued 21 years, &c.

Forgery, &c.

II. And be it further enacted by the authority aforesaid, that an act made in this kingdom in the third year of the reign of his late Majesty king George the second, entitled, *An act for the more effectual preventing and further punishment of forgery, perjury, and subornation of perjury, and to make it felony to steal bonds, notes, or other securities for payment of money*, and further continued by several subsequent statutes, and by an act passed in the twenty ninth year of the reign of his late Majesty king George the second made to continue for twenty one years from the twenty fifth day of March one thousand seven hundred and fifty seven, and to the end of the then next session of parliament, be made perpetual.

3 *G.* 2. c. 4. made perpetual.

Forgery.

III. And be it further enacted by the authority aforesaid, that a clause in an act passed in this kingdom in the seventeenth year of the reign of his late Majesty king George the second, entitled, *An act for the amendment of the law in relation to forgery, and the salvage of goods stranded*, which clause relating to forgery was by subsequent acts continued to the twenty fifth of March one thousand seven hundred and fifty seven, and to the end of the then next session of parliament, and afterwards by an act passed in the twenty ninth year of his late Majesty king George the second's reign made to continue further for twenty one years from

17 *G.* 2. c. 21. s. 1. continued to 25 March 1790, &c.

from the twenty fifth of March one thouſand ſeven hundred and fifty ſeven, and to the end of the then next ſeſſion of Parliament, be continued unto the twenty fifth day of March one thouſand ſeven hundred and ninety, and from thence to the end of the then next ſeſſion of Parliament.

Colliers and Miners.

IV. And be it further enacted by the authority aforeſaid, That a clauſe in an act made in this kingdom in the firſt year of his preſent Majeſty's reign relative to colliers and miners, who abſent themſelves in breach of contract without licence or diſcharge, which was afterwards continued by ſeveral ſubſequent ſtatutes, be further continued unto the twenty fourth day of June one thouſand ſeven hundred and ninety, and from thence to the end of the then next ſeſſion of Parliament.

1 G. 3. c. 17. ſ. 17. continued to 24 June, 1790, &c.

V. And be it further enacted by the authority aforeſaid, That an act paſſed in this kingdom in the third year of the reign of his preſent Majeſty, entitled, *An act for the encouragement of the fiſheries of this kingdom*, and alſo an act paſſed in the fifth year of the reign of his preſent Majeſty, entitled, *An act for explaining and amending an act for the encouragement of the fiſheries of this kingdom*, and alſo a clauſe in an act paſſed in the ſeventh year of the reign of his preſent Majeſty, entitled, *An act for continuing, reviving, and amending ſeveral temporary ſtatutes, and other purpoſes therein mentioned*, whereby the ſaid two before recited acts of the third and fifth years of the reign of his preſent Majeſty, are amended, ſhall be and continue in force until the firſt day of January one thouſand ſeven hundred and ninety, and from thence to the end of the then next ſeſſion of Parliament.

3 G. 3. c. 24.

5 G. 3. c. 7.

7 G. 3. c. 20. ſ. 12.

Fiſh, Game.

VI. And be it further enacted by the authority aforeſaid, That the ſeveral clauſes relative to trawling in the bay of Dublin and to the preſervation of the game, which clauſes are contained in an act made in this kingdom in the thirteenth and fourteenth years of the reign of his preſent Majeſty, entitled, *An act for reviving and continuing ſeveral temporary ſtatutes, and to prevent the deſtructive practice of trawling for fiſh in the bay of Dublin*, be continued to the twenty fourth day of June one thouſand ſeven hundred and ninety, and from thence to the end of the then next ſeſſion of Parliament.

13 & 14 G. 3. c. 41. as to trawling in Dublin bay, & preſerving game, continued to 24 June 1790, &c.

Gaols.

VII. And whereas by an act paſſed in the fifteenth and ſixteenth years of the reign of his preſent Majeſty, entitled, *An act to prevent and puniſh tumultuous riſings of perſons within this kingdom, and for other purpoſes therein mentioned*, it is amongſt other things enacted, That every perſon or perſons, who ſhall by

15 & 16 G. 3. c. 21. ſ. 19.

A. D. 1777-8. Chap. 36.

persons, priſoners or otherwiſe, breaking gaol to reſcue priſoners, tho' offence not capital, felony, death;

force or violence break open any gaol or priſon with an intention to reſcue or enlarge him, her, or themſelves, or any other priſoner or priſoners therein confined on account of any offence, though the ſame be not capital, all and every perſon or perſons, who ſhall commit ſuch offence, and ſhall be found guilty thereof, ſhall ſuffer death as in caſes of felony without benefit of clergy, and ſhall and may be tried before the trial or attainder of the perſon or perſons ſo enlarged, any law or ſtatute to the contrary in any wiſe notwithſtanding: and whereas the ſaid clauſe has been found not fully to anſwer the purpoſes intended by the ſaid act: therefore be it enacted by the authority aforeſaid, That from and after the paſſing of this act every perſon or perſons, who ſhall by force or violence break any gaol or priſon with an intention to reſcue and enlarge any priſoner or priſoners therein confined on account of any offence, though the ſame be not capital, all and every perſon or perſons, who ſhall commit ſuch offence, whether he, ſhe, or they ſhall be priſoners or otherwiſe, and ſhall be found guilty thereof, ſhall ſuffer death as in caſes of felony without benefit of clergy.

continued to 24 June 1787, &c. by 21 & 22 G. 3. c. 40.

Tumults, Gaols. 15 & 16 G. 3. c. 21. extended to cities & counties of cities, continued with ſaid two clauſes to 24 June 1780, and to end of then next ſeſſion, to 24 June 1783, by 19 & 20 G. 3. c. 34. ſ. 5. and to 1787, &c. by 21 & 22 G. 3. c. 40.

VIII. And be it further enacted by the authority aforeſaid, That the ſeveral clauſes and proviſions in ſaid act contained ſhall extend to all cities and counties of cities within this kingdom; and that the ſaid recited act together with the ſaid two clauſes be continued in force unto the twenty fourth day of June one thouſand ſeven hundred and eighty, and from thence to the end of the then next ſeſſion of Parliament.

Papiſts. 3 G. 3. c. 26. the time limited for conformity, enlarged by ſubſequent ſtatutes, continued to 24 June 1790, &c.

IX. And be it further enacted by the authority aforeſaid, That a clauſe in an act of Parliament, paſſed in this kingdom in the third year of the reign of his preſent Majeſty, entitled, *An act for confirming the titles and for quieting the poſſeſſion of proteſtants, and for giving time to converts from popery to perform the requiſites of conformity, preſcribed by the laws againſt popery*, which enacts, that all ſuch perſon or perſons, as had theretofore obtained the biſhop's certificate of their conformity, and from and after obtaining the ſame had profeſſed the proteſtant religion, and had continued proteſtants, and had not performed all the requiſites of conformity, and ſhould perform the ſame before the firſt day of December one thouſand ſeven hundred and ſixty five, ſhould from the time of his, her, or their conformity from the popiſh to the proteſtant religion be deemed and taken to be proteſtants of the eſtabliſhed church to all intents and purpoſes, with a proviſo in ſaid act that nothing therein contained ſhould bar, defeat, or prejudice any judgment or decree whatſoever in any

court

court of law or equity, or any ſuit then depending on the popery laws, which clauſe to limit the time for performing the ſaid legal requiſites of conformity was enlarged by ſeveral other ſubſequent acts, ſhall be continued and remain in force until the twenty fourth day of June one thouſand ſeven hundred and ninety, and from thence to the end of the then next ſeſſion of Parliament.

by 19 & 20 G. 3. c. 14. ſ. 2. to 24 June 1791, &c.

X. And be it enacted by the authority aforeſaid, That an act paſſed in the thirteenth and fourteenth of his preſent Majeſty, entitled, *An act for amending ſaid laſt mentioned act*, by which it was enacted, that the title, eſtate, poſſeſſion, or intereſt of any proteſtant to or in any lands ſhould not be impeached or avoided by aid of any of the popery laws, by means of any right accrued within twenty years before that ſeſſion, if no ſuit in proſecution of ſuch right had been commenced within ſaid twenty years, be revived and continued to the twenty fourth day of June one thouſand ſeven hundred and ninety, and to the end of the then next ſeſſion of Parliament.

13 & 14 G. 3. c. 25. revived & continued to 24 June 1790, &c.

Poſſeſſion.

XI. And be it further enacted by the authority aforeſaid, That an act paſſed the twenty fifth of George the ſecond for the more effectual execution of orders of courts of juſtice for giving and quieting poſſeſſions, and alſo for the more effectual bringing to juſtice ſuch perſons as ſhall enliſt his Majeſty's ſubjects to ſerve as ſoldiers in foreign ſervice without licence, and which was by ſeveral ſubſequent acts revived, and by an act for reviving temporary ſtatutes, paſſed the ſeventh of George the third, was made to continue for ſeven years from the firſt of June one thouſand ſeven hundred and ſixty eight, and to the end of the then next ſeſſion of Parliament, be revived and continued to the twenty fourth day of June one thouſand ſeven hundred and ninety, and from thence to the end of the then next ſeſſion of Parliament.

25 G. 2. c. 12. continued by 7 G. 3. revived and continued to 24 June 1790, &c.

XII. And whereas ſeveral perſons, well affected to his Majeſty's government and the eſtabliſhed church, may have neglected or been prevented from taking and ſubſcribing the oaths, and performing the other qualifications, preſcribed by an act paſſed in this kingdom in the ſecond year of the reign of queen Anne, entitled, *An act to prevent the further growth of popery*, and may have by ſuch omiſſion incurred great penalties: be it enacted by the authority aforeſaid, That all and every perſon and perſons, who have on or before the firſt day of April one thouſand ſeven hundred and ſeventy eight incurrred any penalties or incapacities in the ſaid act *to prevent the further growth of popery* mentioned by omitting to qualify themſelves according to the ſaid act, ſhall be and are hereby indemnified, freed, and diſcharged, from all incapacities, diſabilities, forfeitures, and penalties, incurred by reaſon of ſuch omiſſion or neglect as aforeſaid; and that no act or acts done by them, or any of them, and not yet avoided, ſhall be queſtioned

or avoided by reaſon of ſuch omiſſion, but that all ſuch acts ſhall be, and are hereby declared and enacted to be, good and effectual; any thing in the ſaid act to the contrary notwithſtanding: provided always, That ſuch perſon or perſons do and ſhall take and ſubſcribe the ſaid oaths, and perform ſuch other requiſites, as are preſcribed by ſaid act, in the manner therein mentioned, on or before the firſt day of Auguſt, which ſhall be in the year one thouſand ſeven hundred and ſeventy eight.

Coal. 11 G. 3. c. 5. continued to 24 June 1780, and 1785, by 19 & 20 G. 3. c. 14. ſ. 6.

XIII. And be it enacted by the authority aforeſaid, That an act made in this kingdom in the eleventh year of the reign of his preſent Majeſty, entitled, *An act to prevent combinations to raiſe the price of coals in the city of Dublin*, be revived and continued in force to the twenty fourth day of June one thouſand ſeven hundred and eighty.

XIV. And whereas by an act paſſed in the thirteenth and fourteenth years of the reign of his preſent Majeſty, entitled, *An act for granting unto his Majeſty, his heirs and ſucceſſors, ſeveral duties upon vellum, parchment, and paper*, and alſo by an act paſſed in the fifteenth and ſixteenth years of the reign of his preſent Majeſty, entitled, *An act for granting unto his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper*, and alſo by an act paſſed in the preſent ſeſſion of Parliament, entitled, *An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper*, it is ſeverally enacted among other things, That for the times in the ſaid acts reſpectively mentioned there ſhould be paid unto his Majeſty, his heirs and ſucceſſors, a ſum of ſix pence for every ſkin or piece of vellum or parchment, and for every ſheet or piece of paper, upon which any admiſſion into any corporation or company ſhould be engroſſed or written: and whereas it is alſo by the ſaid ſeveral acts further enacted by the authority aforeſaid, That if any perſon or perſons ſhall engroſs or write, or cauſe to be engroſſed or written, upon any vellum or parchment, or paper, any of the matters or things, for which the ſaid vellum, parchment, or paper, is thereby ſeverally charged to pay any duty, before ſuch time as the ſaid vellum, parchment, or paper, ſhall be marked or ſtamped as therein mentioned, or upon which there ſhall not be ſome ſtamp or mark reſembling the ſame, or ſhall engroſs or write, or cauſe to be engroſſed or written, any matter or thing upon any vellum, parchment, or paper, that ſhall be ſtamped or marked for any lower duty than the duty by the ſaid acts payable for what ſhall be ſo engroſſed or written, then and in every ſuch caſe there ſhall be duly anſwered and paid to his Majeſty, over and above the duty in ſaid acts reſpectively before mentioned, for every ſuch deed, inſtrument, or writing, the ſum of ten pounds, and that no ſuch record, deed, inſtrument, or writing, ſhall be pleaded or given in evidence in any court, or admitted in any court to be good or available in law or equity, until as well the ſaid duty, as the ſaid ſum of ten pounds, ſhall be firſt paid to his Majeſty's uſe, and ſuch receipt as therein mentioned produced for the ſame, and until the vellum, parchment, or paper, on which ſuch deed, inſtrument, or writing, ſhall be written or made, ſhall be marked or ſtamped with a lawful mark or ſtamp: and whereas doubts have ariſen on the conſtruction of the ſaid clauſes and proviſions, ſo far as they relate to the admiſſion into corporations and companies: and whereas many perſons have been admitted into corporations and companies, and their admiſſion entered, engroſſed, or written upon vellum, parchment, or paper not ſtamped: and whereas great inconveniencies would ariſe to ſeveral corporations and companies, if the ſaid ſum of ten pounds was to be paid for every ſuch omiſſion, or in default thereof the ſaid admiſſion rendered void and ineffectual: for remedy whereof be it enacted by the authority aforeſaid, That all and every ſuch admiſſion or admiſſions into any corporation or company, which has or have antecedent to the twenty fifth

day of March one thousand seven hundred and seventy eight been entered, engrossed, or written without stamp, shall be to all intents as valid and effectual, and equally to be pleaded or given in evidence, as if the same had been entered, written, or engrossed on vellum, parchment, or paper duly stamped, and the duties paid for the same, as required by the said acts or any of them, save and except in cases where any suit or proceeding at law already commenced, and now depending, or any admission already brought into controversy, can or may be affected thereby: provided that such admission or admissions shall be lawfully stamped, and the duty of six pence thereon respectively payable duly paid, on or before the twenty ninth day of September in the year one thousand seven hundred and seventy eight: and provided also, That nothing in this act contained shall extend, or be construed to extend, to make any entry in any corporation book liable to any stamp or duty, other than the same is or are now by law liable to. A. D. 1777-8.

CHAP. XXXVII.

An Act for continuing and amending an Act passed in the fifteenth and sixteenth Years of the Reign of his present Majesty, entitled, *An Act for continuing an Act passed in the seventh Year of the Reign of his late Majesty King George the second*, entitled, *An Act for making more effectual an Act passed in the third Year of the Reign of his late Majesty King George the second*, entitled, *An Act for repairing the Road leading from the City of Dublin to the Town of Navan in the County of Meath, and for repairing the Road leading from the said Town of Navan to the Town of Nobber in the said County; and also for repairing the Road leading from the said Town of Navan to the Town of Kells in the said County.*

WHEREAS by act of Parliament passed in the third year of the reign of his late Majesty King George the second, entitled, *An act for repairing the road leading from the city of Dublin to the town of Navan in the county of Meath*, it was provided among other things, That the tolls and duties thereby granted should take place and have continuance only from and after the tenth day of May in the year of our Lord one thousand seven hundred and thirty for and during the term of twenty one years: and whereas by another act of Parliament passed in the seventh year of the reign of his said late Majesty King George the second, entitled, *An act for making more effectual an act passed in the third year of his said late Majesty King George the second*, entitled, *An act for repairing the road leading from the city of Dublin to the town of Navan in the county of Meath, and for repairing the road leading from the said town of Navan to the town of Nobber in the said county, as also for repair-*

3 G. 2. c. 19.

7 G. 2. c. 22.

A. D. 1777-8. Chap. 37.

ing the road leading from the said town of Navan to the town of Kells in the said county, it was among other things enacted, That the said act made in the third year of his said late Majesty's reign, and all and every the powers, authorities, articles, rules, penalties, and clauses therein contained (except what were thereby altered) should be of full force and effect, and should continue and be executed from and after the expiration of said term, for and during the further term of twenty four years, and from thence to the end of the then next session of Parliament: and whereas by another act of Parliament, passed in the fifteenth and sixteenth years of the reign of his present Majesty King George the third, it was enacted, That the said act of the seventh year of his late Majesty King George the second, the said act of the third year of his said late Majesty King George the second, as the same is amended, altered, and confirmed by the said act of the seventh year of his said late Majesty, and all and every the authorities, powers, articles, penalties, and clauses therein contained, shall be of full force and effect from and after the expiration of the said terms of twenty one years and twenty four years for and during the further term of two years, and from thence to the end of the next session of Parliament: and whereas the said act will expire at the end of this present session of Parliament: therefore be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present Parliament assembled, and by the authority of the same, That the said several acts of Parliament, and every authority, power, penalty, and clause therein contained, shall be of full force and effect, and shall be executed, from and after the end of this present session of Parliament, for and during the further term of one year, and until the end of the next ensuing session of Parliament, excepting such parts of the said acts, which relate to the roads leading from Navan to Nobber and from Navan to Kells in the said county of Meath.

15 & 16 G. 3. c. 37.

said acts continued from end of this session 1 year, and to end of the next ensuing session, *continued* 31 *years, &c. as to the road from Dublin to Navan by* 19 & 20 G. 3. c. 43. s. 2. & 21. except as to the road from Navan to Nobber and Kells.

II. And be it further enacted by the authority aforesaid, That the several tolls and duties granted by the said several acts of Parliament, or any of them, shall be applied to and for the repairs of the said roads (except as before excepted) and the usual expences of collecting the said tolls, and to and for no other use or purpose whatsoever, until the trustees therein named shall certify under their hands, that the said roads shall have been compleatly and sufficiently repaired; and from thenceforth, and not

Tolls applied to repair the roads except as aforesaid, and usual expences till trustees certify.

not ſooner the ſaid ſeveral tolls and duties ſhall be applied to all the uſes and purpoſes provided for and intended by the ſaid ſeveral acts of Parliament, or any of them. A. D. 1777-8.

CHAP. XXXVIII.

An Act for the better Regulation of the Police of the City of Cork, and for other Purpoſes relative to the ſaid City.

WHEREAS by an act paſſed in the eleventh and twelfth years of his preſent Majeſty's reign, entitled, *An act for the regulation of the city of Cork, and for other purpoſes therein mentioned, relative to the ſaid city*, the mayor, ſheriffs and common council of the city of Cork, were impowered to appoint valuators for the ſeveral pariſhes therein mentioned for the purpoſes mentioned in the ſaid act: and whereas ſome doubts have ariſen, whether the valuation, made by the valuators appointed under the ſaid act, was legally made: therefore be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the valuation aforeſaid, and the appointment of the ſaid valuators, be annulled and made void, and that it ſhall and may be lawful to and for the mayor, ſheriffs, and common council of the city of Cork for the time being duly aſſembled or the majority of them, from time to time by order or orders under their hands or the hands of the majority of them to appoint three or more inhabitants of each of the pariſhes of the ſaid city of Cork, to wit, the pariſh of Holy Trinity, otherwiſe called Chriſt Church, the pariſh of Saint Peter, the pariſh of Saint Paul, the pariſh of Saint Mary Shandon, the pariſh of Saint Anne, the pariſh of Saint Finn Barry, and the pariſh of Saint Nicholas, to be valuators for the making of a valuation or valuations in the room and ſtead of the valuation before mentioned, and which valuation or valuations, when ſo made, ſhall be and ſtand in the ſtead and place of the valuation in ſaid act mentioned, and be, enure to and for all and ſingular the ſeveral purpoſes provided for, declared or intended in and by this and the before mentioned act; and that any three or more of the ſaid valuators, ſo to be appointed, ſhall have power and are hereby required to value and aſcertain diſtinctly and ſeparately the yearly value of each dwelling houſe, outhouſe, office, cellar, ſtable, linney, and yard

11 & 12 G. 3. c. 18.

valuation and appointment thereby made void,

mayor, ſheriffs, and common council, may appoint 3 or more of each pariſh valuators inſtead of the former,

to aſcertain ſeparately yearly value of houſes, &c. in each pariſh,

A. D. 1777-8. Chap. 38.

in each of the ſaid reſpective pariſhes, for which they ſhall be appointed valuators; and that ſuch three or more valuators ſo to be appointed ſhall at the quarter ſeſſions, to be held for the county of the ſaid city, take the following oath, or affirmation if a quaker, in lieu or ſtead of any former oath or oaths or affirmation, *viz.*

and take oath at ſeſſions inſtead of any former.

I A. B. *do ſwear, or if a quaker do affirm, that I will to the beſt of my knowledge, ſkill, and judgment, execute the office of a valuator in the pariſh of* *in and for the pariſh of* *in the county of the city of Cork, without favour or affection, malice, or ill will, to any perſon or perſons whatſoever.*

with like powers as by ſaid act.

which ſaid oath or affirmation the juſtices at the ſaid quarter ſeſſions are hereby impowered and authorized to adminiſter; and that ſuch three or more valuators ſo to be appointed ſhall have all ſuch powers and authorities in and for their ſaid ſeveral and reſpective pariſhes, and ſhall act, do, and proceed in the ſame manner to all intents and purpoſes in and for their reſpective pariſhes, as the valuators, or any ſeven or more of them, were impowered and required to act, do, and proceed in and by the ſaid recited act.

Not to include in valuation buildings exempted by 13 & 14 *G.* 3. c. 19.

II. Provided nevertheleſs, That the ſaid valuators ſhall not include in their valuation any houſes, premiſes, or buildings, exempted from being charged by the ſaid recited act, paſſed in the thirteenth and fourteenth years of his preſent Majeſty's reign, entitled, *An act for the better and more certain valuation of houſes in counties of cities and counties of towns.*

Valuations returned and depoſited, as by 11 & 12 *G.* 3. c. 18.

III. And be it further enacted by the authority aforeſaid, That the ſeveral valuations, ſo to be made by any three or more of the ſaid valuators in and for their ſaid reſpective pariſhes, ſhall be returned in the ſame manner, and to ſuch perſon, and ſhall be depoſited in ſuch office, and for ſuch purpoſes, as in and by the ſaid recited act of the eleventh and twelfth of his preſent Majeſty is directed and required; and that ſuch copies thereof ſhall be made and delivered and atteſted to ſuch perſons, and at ſuch times, and for ſuch purpoſes, as in ſaid laſt recited act is mentioned; and that copies of ſuch valuations, atteſted by the town clerk of the city of Cork, ſhall in all courts and upon all occaſions be deemed full and ſatisfactory evidence of ſuch valuations; and that ſuch valuators, ſo to be appointed, ſhall be ſummoned to appear at the quarter ſeſſions to take the

copies delivered and atteſted full evidence of ſuch valuation,

ſummoned to take oath at ſeſſions, under like penalties,

the aforesaid oath or affirmation, as the case shall be, in manner and under the penalties, and with like method of recovery, as mentioned in the said act of the eleventh and twelfth years of his present Majesty's reign, with full power to the justices at the quarter sessions to excuse any of the said valuators, and for the said mayor, sheriffs, and common council, to appoint others in the stead of such person or persons, as the justices at the quarter sessions shall from time to time think fit to excuse, or the mayor or sheriffs and common council shall think fit to supersede or remove from said office, or who shall from time to time die, or remove from such parish, or become incapable of executing said office.

power to justices to excuse, and mayor &c. to supersede, and appoint others.

IV. And whereas a reasonable allowance ought to be made in the valuations to be made of dwelling houses, outhouses, cellars, stables, and linneys, for and on account of decay and repairs: therefore be it enacted by the authority aforesaid, that the said valuators, to be appointed pursuant to this act, shall deduct one third part from the full improved yearly value of the dwelling houses, outhouses, cellars, stables, and linneys by them to be valued, as a reasonable allowance for decay and repairs; and shall return in their said valuations only the other two third parts of the full improved yearly value of such dwelling houses, outhouses, cellars, linneys, and stables, as the valuation of such dwelling houses, and outhouses, cellars, linneys, and stables, which returns and valuations shall be final and conclusive.

1-3d of full yearly value deducted for decay and repairs,

return of the other 2-3ds only

final.

HARVARD LAW SCHOOL LIBRARY

V. And whereas it has been necessary to ascertain the limits of the suburbs of the said city by certain bounds, and to distinguish the same from the north and south liberties of the said city: therefore be it enacted by the authority aforesaid, that the bounds and limits herein after mentioned shall be taken and deemed to be the bounds and limits between the suburbs and liberties of the county of the said city of Cork, that is to say, on the north side of the said city the red forge between the lanes leading to Dublin and Mallow and in Blarney lane the east end and as far as the end of Sundays well lane at the west and of William Taylor's house on the road to Sundays well doctor Blair's dwelling-house including as part of said suburbs Sundays well lane; and on the east side of said city the end of William Harrington's cellars, commonly called the Red Cellars, at a place commonly called Leitrim, and the stream of water at the foot of Fair hill, thereby including Fair lane and Peacock's lane as part of said suburbs, and that all the lanes between Blarney lane and

The suburbs limited and distinguished from north or south liberties.

A. D. 1777-8. Chap. 38.

Peacock lane to the weſt ſide of the cattle market ſhall be deemed part of the north ſuburbs; and on the ſouth ſide of the ſaid city the weſt end of the gardens of Stephen Dunroche eſquire on the Bandon road, and as far as the end of Loughtane, now the lough on the road to Kinſale, and the eaſt end of the road leading down to Gillaby, and the ſouth end of Gallows green, and the quarry called Coltſman's quarry on the top of the hill on the road leading to Paſſage and the houſe of induſtry and the ſouth infirmary on the road leading to Black Rock, and the ſouth weſt end of Fuſar's walk; and that all houſes, offices, ſtables, cellars, linneys, and yards, ſituate or lying within any right line or right lines, to be drawn between any of the aforeſaid limits or points of extent, ſhall be deemed or taken as part or parcel of the ſaid city and ſuburbs, and not as part or parcel of the ſaid north or ſouth liberties.

Treaſurer ſhall applot and pay former preſentment, for which work done, and for ſalaries, not yet paid or raiſed.

VI. Whereas from doubts ariſing with regard to the validity of the valuations, made by the valuators appointed under the ſaid act of the eleventh and twelfth years of his preſent Majeſty's reign, ſeveral ſums of money preſented to be raiſed by the grand juries at ſeveral aſſizes, held for the county of the ſaid city ſince the making of the ſaid valuations, have not been raiſed or paid, although ſeveral of the publick works, for which ſaid ſums were preſented to be raiſed and paid, have been executed by the overſeers appointed for carrying on the ſame: therefore be it enacted by the authority aforeſaid, that the treaſurer of the county of the ſaid city of Cork ſhall in the applotment, which he ſhall make of ſuch publick money, as ſhall be preſented to be raiſed by the grand jury or grand juries at the firſt or ſome other aſſizes, which ſhall be held after the paſſing of this act for the county of the ſaid city, applot and pay together with ſuch publick money all ſuch ſums preſented at former aſſizes, and for which the ſaid ſeveral works were done and performed, as have not yet been paid or raiſed, and alſo all ſuch ſums as have been preſented for ſalaries of officers, and have not been yet paid or raiſed.

Waſte or untenanted not applotted or charged.

VII. And whereas it is deemed unreaſonable, that waſte or untenanted dwelling houſes, outhouſes, offices, cellars, ſtables, linneys, and yards ſhould, whilſt they ſhall remain waſte or untenanted, be applotted and charged with a proportion of the publick money, preſented to be raiſed by the grand jury at the aſſizes for the county of the ſaid city: for remedy whereof be it enacted by the authority aforeſaid, that the treaſurer of the county of the ſaid city, in the applotment by him to be made at the end of every aſſizes to be held for the county of the ſaid city, ſhall not applot or charge with any part or proportion

tion of the publick money, preſented to be raiſed by the grand jury at ſuch aſſizes, any dwelling houſe, outhouſe, office, cellar, ſtable, linney, or yard, which ſhall then happen to be waſte or untenanted.

Conſtables in 14 days after aſſiſes ſhall return on oath to treaſurer exact account of waſte or untenanted,

VIII. And in order that the ſaid treaſurer may know, what dwelling houſes, outhouſes, offices, cellars, ſtables, linneys, and yards, may then be waſte or untenanted, be it enacted by the authority aforeſaid, that the ſeveral conſtables of the ſaid city of Cork and the ſuburbs thereof ſhall in fourteen days from the laſt day of each aſſizes return to the ſaid treaſurer in writing upon oath (which oath the ſaid treaſurer is hereby empowered to adminiſter) an exact account of ſuch dwelling houſes, out houſes, offices, cellars, ſtables, linneys, and yards, in their reſpective pariſhes, quarters, or diſtricts, as ſhall be then waſte or untenanted, under a penalty of five pounds for neglecting to make ſuch return as aforeſaid; the ſaid penalty to be ſued for by the treaſurer in a ſummary way before the mayor, or any of the aldermen of the ward of the city, according to the ſummary juriſdiction eſtabliſhed by act of parliament in the ſaid city; and when recovered, the ſaid penalty to be accounted for as part of the publick money by the ſaid treaſurer in aid of the publick money preſented to be raiſed by the grand juries at the aſſizes to be held for the county of the ſaid city.

penalty 5l.

ſued ſummarily,

accounted for as part of publick money.

G. jury each aſſiſes may preſent not above 50l. for 2 high conſtables,

IX. Be it further enacted by the authority aforeſaid, that the grand jury at each aſſizes to be held for the county of the ſaid city ſhall have power, if they ſhall ſee cauſe for ſo doing, to preſent any ſum, not exceeding fifty pounds, to be paid to the two high conſtables of the ſaid city, according to ſuch ſervices as they ſhall do for the preſervation of the publick peace of the ſaid city; and alſo five pounds for two turnkeys of the goal of the county of the ſaid city; and alſo any ſum, not exceeding twenty guineas, for the two coroners of the ſaid county of the ſaid city for their trouble in executing their office, and in lieu of fees, and inſtead of the money the grand jury by law are now empowered to preſent for the ſaid coroners; and alſo ſhall have power to preſent a ſum of two guineas for the attendance of a ſurgeon at each or any inqueſt to be held in and for the ſaid county of the ſaid city, provided it ſhall appear by the affidavit of one of the coroners, that the attendance of ſuch ſurgeon was neceſſary.

5l. for 2 turnkeys,

not above 20 guineas for 2 coroners in lieu of fees, &c.

2 guineas for ſurgeon's attendance, if on a coroner's affidavit neceſſary.

A market provided in ſouth and north ſuburbs, with ſcales &c. for weighing hay and ſtraw,

X. And be it enacted by the authority aforeſaid, that the mayor of the ſaid city for the time being ſhall be impowered to provide two ſufficient yards or market places, one in the ſouth ſuburbs, and the other in the north ſuburbs, of ſaid city

A. D. 1777-8. Chap. 38.

city, with proper ſcales, beams, and weights, for the ſelling of hay and ſtraw by weight; and that no hay or ſtraw ſhall be ſold in the ſaid city, or the ſuburbs thereof, except by weight, under a penalty of five ſhillings on the ſeller, to be recovered in a ſummary way before the mayor or any of the aldermen of the ſaid city according to the ſummary juriſdiction eſtabliſhed in the ſaid city, by the firſt perſons who ſhall ſue for the ſame; and that no ſtraw ſhall be made up in a bundle of leſs weight than ſeven pounds under a penalty of one Engliſh ſhilling on the ſeller, to be paid to the firſt perſon who ſhall ſue for the ſame, and to be recovered in manner aforeſaid; and that if any perſon ſhall expoſe to ſale in the ſaid city or ſuburbs hay or ſtraw mixed with dirt, ſtones, or gravel, or made wet to increaſe the weight thereof, ſuch perſon ſhall forfeit ſuch hay or ſtraw, and incur, beſides the forfeiture of the ſaid hay or ſtraw, the ſaid penalty of five ſhillings, to be determined in the ſummary way aforeſaid, and to go to the firſt perſon who ſhall ſue for the ſame.

ſold by weight only, penalty 5s.

no bundle of ſtraw under 7lb. penalty 1s.

hay or ſtraw mixed with dirt, &c. or wet, to increaſe weight, forfeited, and 5s.

penalties to proſecutor.

Carmen and porters regulated by order of council as coal porters.

XI. And be it enacted by the authority aforeſaid, that the mayor, ſheriffs, and common council of the ſaid city ſhall have a power from time to time by their orders of council to regulate the conduct of ſuch carmen and porters, as ply for hire in the ſame city and the ſuburbs thereof, in the ſame manner as they are by the act of parliament impowered to regulate the conduct of coal porters in the ſaid city.

Water conveyed from roofs by trunks,

at landlord's expence where tenant yearly, or at will, or under 7 years,

ſigns and ſhewboards fixed cloſe on front,

not to project into ſtreets,

XII. Whereas the ſtreets, lanes, and other paſſages in the ſaid city of Cork and the ſuburbs thereof are greatly annoyed and incommoded by water ſpouting from the roofs of houſes and other buildings, and by ſign boards, ſign poſts, and ſign irons projecting into the ſaid ſtreets, lanes, and paſſages: therefore be it enacted by the authority aforeſaid, that the water from the roofs of all houſes within the ſaid city of Cork, and the ſuburbs thereof, ſhall be conveyed unto or near the ground by pipes or trunks, to be fixed on the walls of the ſaid houſes at the expence of the reſpective landlords where the tenant is a yearly tenant or tenant at will, or where the leaſe in being is for a ſhorter continuance than ſeven years, and at the expence of the tenant of ſuch premiſes where the leaſe is for a longer continuance; and that all ſigns and ſhew boards ſhall be placed or fixed on the fronts of and cloſe to the houſes, ſhops, warehouſes, or buildings, whereunto they ſhall reſpectively belong, in the ſaid city and the ſuburbs thereof; and that no ſigns, ſhew boards, poſts, or ſigns, ſhall project from the houſes or buildings into any of the ſtreets, lanes, or paſſages in the ſaid city

or

or the ſuburbs thereof; and in caſe any ſuch perſon or perſons ſhall neglect or refuſe to alter any of the ſaid annoyances for the ſpace of fourteen days after he, ſhe, or they ſhall have received notice in writing from the mayor to alter or remove the ſame, ſuch perſon or perſons ſhall for every ſuch refuſal or neglect forfeit the ſum of ten ſhillings, to be recovered before the mayor or any of the aldermen of the ward of the ſaid city according to the ſummary method herein before mentioned, ſuch penalties to go to the uſe of the work houſe of ſaid city.

not altered after 14 days notice, 10s.

to the workhouſe.

XIII. Whereas the practice of trawling, carried on in the harbour of Cork, tends to the injury of the fiſhery thereof: therefore be it enacted by authority aforeſaid, that if any perſon or perſons ſhall from and after the firſt day of Auguſt next take or deſtroy any fiſh whatſoever (oyſters excepted) in the harbour of Cork inſide of the points called the Cow and Calf by trawling, ſuch perſon or perſons ſhall on due proof thereof made before the mayor of the city, or any one or more of the juſtices of the peace of the county of the ſaid city, or any one or more of the juſtices of the peace for the county of Cork, contiguous to the ſaid harbour, forfeit the ſum of ten pounds, together with the boat or veſſel which ſhall be employed in ſuch trawling or fiſhing, with all tackle, ſails, and rigging, together with ſuch fiſhing trawls and geer made uſe of in ſuch trawling, one moiety of the ſaid ſum of ten pounds, and one moiety of the money that may ariſe by the ſale of ſuch forfeited boat or veſſel, and of her tackle, ſails, and rigging, and of ſuch fiſhing trawl and geer, to go to the uſe of the houſe of induſtry of the ſaid city of Cork, and the other moiety thereof to go to the uſe of ſuch perſon or perſons as ſhall firſt ſue for the ſame.

Trawling in *Cork* harbour for fiſh, except oyſters, 10l and the boat, tackle, &c. to the houſe of induſtry and proſecutor.

XIV. And for the more effectual bringing to juſtice ſuch perſon or perſons as ſhall be guilty of the ſaid offence of trawling in the ſaid harbour of Cork be it enacted by the authority aforeſaid, that the mayor of the ſaid city of Cork ſhall iſſue from time to time, as occaſion ſhall require, a warrant directed to the water bailiff of the ſaid city, or his deputy or deputies, or to any other ſpecial officer or officers by him to be appointed for that purpoſe, requiring him or them to ſeize, arreſt, and attach, and take into his or their cuſtody, any boat or veſſel that he or they or any of them ſhall find trawling for fiſh in the ſaid harbour of Cork (oyſters only excepted) inſide ſaid points called the Cow and Calf, and to

Mayor's warrant to water bailiff or ſpecial officer to ſeize veſſels ſo trawling, and carry perſons before a magiſtrate till determined,

A. D. 1777-8. Chap. 38.

carry the ſaid boat or veſſel, with her tackle, ſails, and rigging, together with her fiſhing trawls and geer, to ſome convenient place within the ſaid harbour, there to be detained until the cauſe of ſeizure ſhall be determined purſuant to the meaning hereof, and to carry the ſeveral perſons, that ſhall be found trawling in ſuch boat or veſſel, before the ſaid mayor of the ſaid city, or any one or more of the juſtices of the peace of the county of the ſaid city, or any one or more of the ſaid juſtices of the peace of the ſaid county of Cork contiguous to the ſaid harbour, in order to have the ſaid matters heard and determined, and according to the true intent and meaning hereof; and that the ſaid mayor, or any of the ſaid juſtices, ſhall have power on the conviction of the parties for ſuch trawling to commit the perſon, not paying his proportion of the ſaid penalty, to his Majeſty's gaol for the county of the ſaid city, or for the ſaid county of Cork, according to the reſpective juriſdictions of the ſaid mayor or of ſuch juſtices, for the payment of ſuch penalty, ſuch impriſonment not to exceed one month.

not paying proportion of penalty impriſoned 1 month.

Bricks not burned within 2 *Engliſh* ſtatute miles from the exchange,

XV. And be it further enacted by the authority aforeſaid, that no bricks ſhall be burned, or any clamp of bricks be ſet to be burned, within two miles Engliſh ſtatute meaſure, to be computed from the exchange of the ſaid city of Cork; and in caſe any perſon or perſons ſhall burn or cauſe to be burned any bricks, or ſhall ſet on fire any clamp of bricks, or any clay ſhaped or tempered for bricks, within two miles Engliſh ſtatute meaſure, to be computed as aforeſaid, the perſon or perſons ſo offending for every ſuch offence ſhall forfeit the ſum of ten pounds, to be recovered by civil bill at the aſſizes, to be held for the county of ſaid city, by the firſt perſon that ſhall ſue for the ſame; one moiety of the ſaid ſum of ten pounds to go to the governors of the workhouſe of the city for the uſe of the ſaid workhouſe; and the other moiety of the ſaid ſum of ten pounds to go to the perſon ſo ſuing for the ſame.

penalty 10l. by civil bill,

to proſecutor and workhouſe.

Magiſtrate on view or oath to iſſue warrant to deſtroy the clamps.

XVI. And for the more effectual prevention of burning bricks within the limits aforeſaid be it enacted by the authority aforeſaid, that beſides the ſaid penalty of ten pounds the mayor of the ſaid city, or any of his Majeſty's juſtices of the peace of the county of the ſaid city, ſhall have power, and are hereby required, on view or on information on oath to iſſue his or their warrant or warrants to extinguiſh, abate, or deſtroy any clamp or parcel of bricks or of clay, that ſhall be ſet on fire to be burned into or for bricks within two miles Engliſh ſtatute meaſure, to be computed as aforeſaid.

XVII. Whereas

Giving away pipe water or permitting it 20s. to work-house and informer.

XVII. Whereas a conſiderable expence hath been incurred in ſupplying of the city of Cork and the ſuburbs thereof with water: be it enacted by the authority aforeſaid, that if the owner or poſſeſſor of any pipe or branch of any pipe in the ſaid city or liberties thereof, rented or to be rented from the mayor, ſheriffs, and commonalty of the ſaid city, or from the committee deputed or to be deputed by them, ſhall give away pipe water, or permit or ſuffer any perſon to give or carry away pipe water from ſuch pipe or branch of any pipe, ſuch perſon ſo offending ſhall forfeit for every ſuch offence the ſum of twenty ſhillings, to be recovered in the ſummary way aforeſaid before the ſaid mayor or any of the aldermen of the ward of the ſaid city by the firſt perſon, that ſhall ſue for the ſame, one moiety thereof to go to the governors of the workhouſe and the other moiety thereof to go to the informer.

Penalty for a branch pipe without authority 10l. by civil bill to work-houſe and informer.

XVIII. And be it enacted by the authority aforeſaid, that if any perſon ſhall put in a branch pipe into any of the mains or pipes laid for the conveyance of water in any of the ſtreets, lanes, or paſſages in the ſaid city and ſuburbs thereof, or ſhall have a branch pipe conveyed into or near any dwelling houſe or outhouſe in the ſaid city or the ſuburbs thereof, from the branch pipe of any other perſon in the ſaid city or the ſuburbs thereof, without the conſent and authority of the ſaid mayor, ſheriffs, and commonalty of the ſaid city, or of ſuch committee as aforeſaid, in order that ſuch perſon may be ſupplied with pipe water without paying for the ſame, that then and in ſuch caſe every perſon ſo offending ſhall for every ſuch offence forfeit the ſum of ten pounds, to be recovered by civil bill before the judges of aſſize at the general aſſizes to be held for the county of the ſaid city by the firſt perſon, who ſhall ſue for the ſame; one moiety of the ſaid forfeiture of ten pounds to go to the governors of the workhouſe of the ſaid city for the uſe of the ſaid workhouſe, and the other moiety thereof to go to uſe of the informer, or perſon firſt ſuing for the ſame.

Buildings or incloſures entered to repair pipes, &c. paying damages, aſcertained by 2 perſons, 1 on each ſide, or by an umpire,

XIX. And be it enacted by the authority aforeſaid, that if any building or encloſure of ground hath been made in the ſaid city of Cork, the ſuburbs or liberties thereof, where pipes or mains have been laid, or aqueducts erected, or hereafter ſhall be laid or erected, for ſupplying the ſaid city or the ſuburbs thereof with water, that it ſhall and * lawful for the mayor, ſheriffs, and commonalty, or the ſaid committee, or any one or more of the ſaid committee, with workmen, from time to time when ſuch mains, pipes, or aqueducts ſhall be out of order, to enter into and upon ſuch

A.D. 1777-8. Chap. 38.

ſuch buildings and encloſures, or into any ground through which ſuch mains, pipes, or aqueducts ſhall be laid or erected, in order to repair the ſame, paying all ſuch damages as the owner or owners ſhall ſuffer thereby, to be aſcertained in a ſummary way by two perſons, one to be appointed by the ſaid mayor, ſheriffs, and commonalty, or by the ſaid committee, or the majority of the ſaid committee, and the other of the ſaid two perſons to be appointed by ſuch owner or owners; and in caſe ſuch two perſons ſhall not agree, then ſuch damages to be aſcertained by a third perſon, to be nominated as umpire by the ſaid two perſons ſo to be appointed as aforeſaid;

refuſing entrance 20s.

to work houſe and informer.

and in caſe the owner or owners of ſuch buildings, incloſures, or ground ſhall refuſe permiſſion for entering in the ſame to repair the ſaid mains, pipes, aqueducts aforeſaid, in manner aforeſaid, that then and for every ſuch refuſal ſuch owner or owners ſhall forfeit the ſum of twenty ſhillings, to be recovered in the ſummary way aforeſaid before the mayor of the ſaid city, or any of the aldermen of the ward of the ſame, by the firſt perſon who ſhall ſue for the ſame; one moiety of the ſaid forfeiture to go to the governors of the workhouſe of the ſaid city for the uſe of the ſaid workhouſe, and the other moiety thereof to go to the uſe of the informer, or firſt perſon that ſhall ſue for the ſame.

Work-houſe funds inſufficient to ſupport foundlings,

XX. Whereas the ſums, appropriated to be paid to the governors of the workhouſe of the city of Cork, are not found ſufficient for the ſupport or maintenance of the foundling, deſerted, or expoſed children in the ſaid city, and the ſuburbs thereof: and whereas by an act paſſed in the eleventh and twelfth years of his preſent Majeſty's reign, intitled, *An act for relief of poor infants, who are or ſhall be deſerted by their parents*, the pariſhes in the city of Cork are exempted from taking or receiving any deſerted or expoſed children: and whereas by the means aforeſaid many foundling, deſerted, or expoſed children have miſerably periſhed in the ſaid city: for the prevention thereof for the future be it enacted by the authority aforeſaid, that the church wardens of the ſeveral pariſhes in the ſaid city of Cork and the ſuburbs thereof may if they ſhall think proper to take into their care and poſſeſſion any infant children, that ſhall be deſerted and expoſed in their reſpective pariſhes, and that they may provide for ſuch infant children proper nurſes, cloathing, and other neceſſaries ſufficient for the ſupport of ſuch infant children, and that the expences thereof ſhall be raiſed on the inhabitants of the ſaid pariſhes reſpectively by pariſh rates, in the ſame manner as the repairs of the pariſh churches or other uſual

and by 11 & 12 *G.* 3. c. 15. pariſhes in *Cork* exempted from taking them,

church wardens in *Cork* may in their pariſhes take and provide for deſerted infants,

expence on inhabitants by pariſh rates,

pariſh

parish rates are raiſed; and that the church-wardens ſhall reſpectively take an account, when any ſuch deſerted or expoſed infant child ſhall be taken by them in their reſpective pariſhes, and ſhall in two days at fartheſt after taking of ſuch infant return in writing to the maſter of the workhouſe of the ſaid city an account of the time and place of taking ſuch deſerted or expoſed children; and the ſaid maſter of the ſaid workhouſe ſhall keep a book, in which he ſhall enter the returns of the ſaid church wardens in priority, as the ſame ſhall be made, and that the ſaid maſter of the workhouſe ſhall lay the ſaid book before the governors of the ſaid workhouſe, or the courts of aſſiſtants belonging to the ſame, whenever the ſaid governors or court of aſſiſtants ſhall meet, and that whenever the funds of the ſaid workhouſe ſhall anſwer to take one or more of the ſaid deſerted or expoſed children on the foundation of ſaid workhouſe, to be provided for agreeable to the act of parliament in that caſe made and provided, the ſaid governors or the ſaid court of aſſiſtants ſhall take from ſaid reſpective pariſhes ſuch and ſo many of the ſaid deſerted and expoſed infant children, as the funds of the ſaid workhouſe will then allow of, and according to the priority of ſuch deſerted or expoſed children being taken on the ſaid pariſhes in manner aforeſaid.

in 2 days after taking account of time and place returned to workhouſe,

returns entered in priority,

laid before the governors or aſſiſtants,

when workhouſe funds allow, ſo many of ſaid children from the pariſhes by priority.

XXI. And whereas the adminiſtration of juſtice in the court of quarter ſeſſions, held in and for the ſaid county of the ſaid city of Cork, hath been greatly impeded by the non-attendance of the grand jurors, petty jurors, and witneſſes: be it therefore enacted by the authority aforeſaid, that it ſhall and may be lawful for the mayor and juſtices of the peace for the county of the ſaid city, for the recorder of the ſaid city, or the deputy recorder of the ſaid city, as they or any of them ſhall happen to preſide at the ſaid court of quarter ſeſſions, or at any adjournment thereof, to impoſe a fine not exceeding five pounds on any grand juror, petty juror, or witneſs, that ſhall be legally ſummoned to attend at the ſaid court of quarter ſeſſions or at any adjournment thereof, and ſhall refuſe or neglect to appear purſuant to the ſaid ſummons, and for whom no ſufficient excuſe ſhall be laid before the court; and that it ſhall and may be lawful to and for the ſaid mayor and juſtices, and to and for the ſaid recorder or deputy recorder, as they or any of them ſhall happen to preſide at the ſaid court of quarter ſeſſions or at any adjournment thereof, to iſſue from and out of the ſaid court proceſs from time to time in the nature of an execution, directed to the ſerjeants at mace, the conſtables of the county of the ſaid

Grand or petty juror, or witneſs, not attending quarter ſeſſions on ſummons, if no ſufficient excuſe fined not above 5l.

levied by proceſs in nature of execution,

A. D. 1777-8. Chap. 38.

city, and the bailiffs of the ſame, or to any one or more of them, to levy the ſaid fine off the goods and chattles of ſuch grand juror or petty juror, or witneſs, who ſhall be ſo fined as aforeſaid; and in caſe any ſuch witneſs ſhall be a *feme-covert*, to levy the ſaid fine off the goods and chattles of the huſband of ſuch *feme-covert*; and that the ſaid fine, when levied, ſhall be paid over to the governors of the workhouſe of the ſaid city of Cork for the uſe of the ſaid workhouſe, deducting thereout the ſum of two ſhillings and ſix pence, to be paid to the clerk of the peace for the county of the ſaid city for his trouble in making out and iſſuing the ſaid proceſs, and deducting thereout the further ſum of two ſhillings and ſix pence, to be paid to ſuch of the ſaid ſerjeants at mace, conſtables, or bailiffs, as ſhall execute the ſaid proceſs, for his or their trouble.

on huſband of feme-covert.

fines to the work-houſe, clerk's fee 2s. & 6d.

officers 2s. & 6d.

XXII. Provided nevertheleſs, and be it enacted by the authority aforeſaid, that the deputy recorder of the ſaid city for the time being ſhall take all ſuch oaths, as the recorder for the time being ought to take, only ſubſtituting in ſuch oaths reſpectively the words, deputy recorder, in the place and ſtead of the word recorder; and that the ſeveral courts and perſons authorized to adminiſter oaths to the recorder of the ſaid city for the time being ſhall have full power and authority to adminiſter ſuch oaths as aforeſaid to ſuch deputy recorder as aforeſaid for the time being.

Deputy to take ſuch oaths as recorder.

XXIII. That the ſeveral truſtees, appointed or to be appointed for the widening or improving the ſeveral ſtreets, ways, and paſſages in the ſaid city and ſuburbs purſuant to an act paſſed in the fifth year of his preſent Majeſty's reign, entitled, *An act for the altering and amending the ſeveral ſtatutes heretofore made for the better regulation of the city of Cork, for regulating trials by juries in the court of record of the ſaid city, and for eſtabliſhing market juries in ſaid city, and for making wide and convenient ways, ſtreets, and paſſages in the ſaid city and ſuburbs thereof, and for preventing frauds committed by the bakers and meal keepers of the ſaid city*, ſhall have power from time to time to purchaſe not only the ſeveral houſes, grounds, and buildings for the widening ſaid ſtreets, ways, and paſſages, but alſo any quantity of ground, together with the edifices thereon, not exceeding thirty feet backwards, of any of ſaid ſtreets, ways, or paſſages ſo widened or improved, or intended to be widened or improved, be it enacted by the authority aforeſaid, that it ſhall and may be lawful for the mayor, ſheriffs, conſtables, or market juries of ſaid city, or any three or more of ſaid jury, to ſeize any ſtand, table, baſket, roots, fruit, blocks, timber, planks, benches, ſticks, caſks, anchor, or other obſtruction or annoyance, ſtanding or lying

Truſtees for widening ſtreets by 5 *G.* 3. c. 24.

to purchaſe houſes and grounds,

and not above 30 feet backward,

Mayor, &c. or 3 market jurors, may ſeiſe annoyances in ſtreets, and remove to publick

lying in any of the ſtreets, lanes, or alleys of ſaid city, and to cauſe the ſame to be removed to the publick pound of ſaid city, and there to detain the ſame until the owner or owners do pay to the mayor of the ſaid city five ſhillings to redeem the ſame; and in caſe the ſame ſhall not be claimed, and the penalty of five ſhillings with expence of removing paid within two days after ſeizure, that it may be lawful for ſaid mayor to cauſe the ſame to be appraized and ſold, and the reſidue of the money ariſing therefrom, after paying the penalty and charges, to be returned to the owner or owners who ſhall demand the ſame; the ſaid penalty of five ſhillings for every ſuch offence to be paid by the mayor, when recovered, to the governors of the houſe of induſtry of ſaid city for the uſe of the ſaid houſe of induſtry.

pound, till 5s. to redeem paid to mayor, if not claimed, and payment in 2 days appraiſed and ſold, ſaid 5s. to houſe of induſtry,

XXIV. And be it enacted by the authority aforeſaid, that all penalties, not herein otherwiſe particularly provided for, ſhall be raiſed and levied by diſtreſs and ſale of the offender's goods; and in caſe no goods or chattles of the perſons ſo offending can at the time of ſuch conviction be found, then and in ſuch caſe it ſhall be lawful for the ſaid mayor, aldermen, or juſtices, before whom ſuch offender ſhall be convicted, to commit ſuch offender to the houſe of correction, there to be kept to hard labour for any time not exceeding three months.

Penalties, not provided for, raiſed by diſtreſs and ſale, or committed not above 3 months.

XXV. And be it enacted by the authority aforeſaid, that if any action or ſuit ſhall be commenced, or any replevin ſhall be brought, againſt any perſon for taking of any diſtreſs, making of any ſale, or doing any other thing by authority of this act, or of any other act of parliament relating to the ſaid city, the defendant or defendants, avowant or avowants, or others making conuſance in ſuch action, ſuit, or replevin, may either plead the general iſſue or otherwiſe make avowry, conuſance, or juſtification generally, that the ſaid diſtreſs, ſale, treſpaſs, or other thing, whereof the plaintiff or plaintiffs ſhall complain, was taken, made, or done by authority of this act, or of ſuch other act of parliament as aforeſaid, and ſhall and may give this or ſuch other act of parliament and the ſpecial matter in evidence at any trial thereupon, and that the ſaid diſtreſs or other matter or thing, for which ſuch action, ſuit, or replevin ſhall be ſo brought, was taken or done in purſuance and authority of this act, or of ſuch other act of parliament as aforeſaid; and in caſe that the plaintiff or plaintiffs in ſuch action, ſuit, or replevin, ſhall diſcontinue his, her, or their ſaid ſuit or replevin, or be nonſuited, or the defendant or defendants, avowant or avowants, or perſon or perſons ſo making conuſance or juſtifying, ſhall obtain

Defendants may plead general iſſue, or avow generally and give the matter in evidence, and have double coſts on nonſuit, &c.

A. D. 1777-8.

obtain judgment against the said plaintiff or plaintiffs on verdict, demurrer, or by default, that such defendant, avowant, or person making conusance, or justifying, shall recover double costs of suit, and shall have such remedy for recovery of the same, as any defendant may have by law for costs in any other cause; and, if the plaintiffs shall have proceeded by way of replevin, shall also have judgment for recovery of the distress taken.

And if replevin, recovery of distress.

XXVI. Be it enacted by the authority aforesaid, that this act be deemed, and adjudged, and taken to be a publick act, and judicially taken notice of by all judges, justices, and other persons whatsoever without specially pleading the same, and that the same do pass as a publick act.

A publick act.

CHAP. XXXIX.

Amended by 19 and 20 G. 3, c. 41.

An act for altering, amending, and making more effectual an act for repairing the road leading from the town of Nenagh in the county of Tipperary through the towns of Birr and Firbane in the King's county to Curranaboy-bridge on the turnpike road leading to Athlone in the county of Westmeath; and also for other purposes therein mentioned.

WHEREAS an act passed in the thirteenth year of the reign of his late Majesty George the second, entitled, *An act for the repairing the road leading from the town of Nenagh in the county of Tipperary through the towns of Birr and Firbane in the King's county, to Curranaboy-bridge on the turnpike road leading to Athlone in the county of Westmeath:* and whereas the said road is at present in a very bad state, and it is found by experience, that the tolls and duties, granted and made payable by the said act, have not been sufficient to keep the same in sufficient order and repair, and also to make a reasonable provision for such creditors as aforesaid, and that notwithstanding the expence already made thereupon, the said road is now in a ruinous condition: and whereas the tolls and duties granted by the said act were to take place and continue from the second day of June one thousand seven hundred and forty for forty years and no longer, and it is found expedient to make the several provisions herein after mentioned for the more effectually amending and repairing the said road, and keeping the same in good order and repair, and for paying the debts now due on account of the said roads to the honest and fair creditors: be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament

13 G. 2. c. 16.

parliament, and by the authority of the ſame, that for the better ſurveying, ordering, and amending, and keeping in repair the ſaid highway or road, the honourable Robert Rochfort, ſir William Parſons, John Lloyd, Peter Holmes, Thomas Coghlan, reverend Thomas Dawſon, Henry Prittie, John Bayley, Daniel Toler, Francis Sadler, William Vaughan, John Greene, Wentworth Parſons, John Head, Daniel Rogers, George Pepper, Samuel Judge, Charles Minchin, Samuel Abbot, James Otway, reverend archdeacon Synge, Richard Gaſon, Theobald Pepper, captain John Robinſon, Charles Atkinſon, major George Clarges, William Newſtead, Andrew Armſtrong of Callen, Lawrence Parſons, Mullock, eſquire, counſellor at law, Guſtavus Handcock, reverend Anthony Malone, Edmond Malone of Ballynahown, George Clibborn, James Clibborn, John Loftus Cuppaidge, Richard Pennefather, Thomas Woods, Benjamin Woods, reverend Abraham Downes, reverend Abraham Downes, junior, Jeremiah Hanks, John Wilkinſon, Robert Jackſon, major Upton, Thomas Bernard, junior, Anderſon Saunders, Richard Faulkner, Michael Menitt, George Stoney, William Smith, William Woodward, William Woodward junior, John Toler, Thomas Otway, Cooke Otway, John Bayley junior, George Harden, Henry Duggan, Denis Kelly, John Kelly, reverend Thomas Falkner, Robert Dillon, John Green, major Edmond Malone, John Head, Morgan O'Mara, Henry O'Brien, George Heney, Jonathan Willington, Thomas Stoney, George Synge, Cæſar Otway, Stafford O'Brien, Thomas Pepper, William Pennefather, Simon Pepper, Richard Beggs, Thomas Falkner of Liſbrien, Edward Ledger, Joſeph Rogers, Paul Minnitt, Joſiah Minnitt, John Willington, George Jackſon, Manſell Andrews, Henry Palmer, Ralph Smyth, reverend John Smyth, and the ſurvivors and ſurvivor of them, be nominated and appointed truſtees of the ſaid road, and they or any five or more of them, or ſuch perſon or perſons as they ſhall authorize or appoint, may after the firſt day of Auguſt one thouſand ſeven hundred and ſeventy eight erect or cauſe to be erected one or more gate or gates, turnpike or turnpikes, in, upon, or acroſs any part or parts of ſaid highway or road, and alſo a toll houſe, or toll houſes, and there receive or take the tolls and duties following, before any horſe, mare, mule, gelding, cattle, coach, berlin, chariot, calaſh, chaiſe, chair, capriole, waggon, wain, cart, carr, or other carriage, ſhall be permitted to paſs through the ſame (to wit) for every coach, berlin, chariot, chaiſe, or chair drawn by ſix horſes, geldings, mares, or mules, the ſum of two ſhillings

Truſtees of the road appointed,

the toll,

A. D. 1777-8. Chap. 39.

shillings and three pence; and for every coach, berlin, chariot, calash, chaise, or chair drawn by any lesser number of horses, geldings, mares, or mules, than six, and more than two, one shilling and six pence; for every coach, berlin, chariot, calash, chaise, or chair drawn by two horses, geldings, mares, or mules, nine pence; for every waggon, wain, cart, or other carriage with four wheels, drawing beams or gross timber, the sum of fifteen shillings; and for every waggon, wain, cart, or other carriage, drawing beams or other gross timber, the sum of one shilling and six pence; for every wain, cart, or other carriage with two wheels, drawn by two or more horses, mares, geldings, mules, or oxen, the sum of seven shillings and six pence; for every cart, or other carriage drawn with two horses, geldings, mares, or mules, the sum of six pence; for every carriage, commonly called a chair or chaise, or capriole, with one horse, mare, mule, or gelding, the sum of six pence; for every car, or other carriage, drawn but by one horse, mare, mule, or gelding, the sum of three half pence, excepting cars laden with turf, and for each of them three farthings; and for any horse or other cattle laden with turf, not drawing, three farthings; for every other horse, mare, or gelding, mule, or ass, laden or unladen, not drawing, three half pence; for every drove of oxen, cows, or neat cattle, the sum of two shillings and six pence *per* score, and so in proportion for any greater or lesser number; for every drove of calves, hogs, sheep, goats, or lambs, the sum of seven pence halfpenny *per* score, and so in proportion for any greater or lesser number; which said respective sum or sums of money shall be demanded and taken in the name of or as a toll or duty; and the money to be raised as aforesaid is and shall be hereby vested in the said trustees; and the same, and every part thereof, shall be paid, applied, and disposed, and assigned to and for the several uses, intents, and purposes, in such manner as herein after mentioned and directed; and that the said trustees, or any five or more of them, be impowered by themselves, or any person or persons by them or any five or more of them under their hands and seals thereunto authorized, to levy the toll or duty hereby required to be paid upon any person or persons, who shall after demand made thereof neglect or refuse to pay the same, by distress of any horse or horses, or other cattle or goods, upon which such toll or duty may by this act be imposed, or upon any of the goods and chattles of such person or persons who ought to pay the same, and may detain and keep the same, until such toll or duty with the reasonable charges of such distraining and keeping shall be paid; and that it may be lawful

levied by 5.

to and for the perſon and perſons ſo diſtraining, after the ſpace of five days after ſuch diſtreſs made and taken, to ſell the goods diſtrained, returning the overplus (if any be) upon demand to the owner thereof, after ſuch toll or duty, and reaſonable charges for diſtraining and keeping the ſame, ſhall be deducted and paid.

II. And be it further enacted by the authority aforeſaid, that out of the firſt money, ariſing out of the profits of the ſeveral turnpikes to be erected, the ſaid truſtees, or any five or more of them, ſhall firſt pay and diſcharge the expences of procuring this act of parliament, and of erecting ſuch turnpike or turnpikes, and building and repairing ſuch toll houſe or toll houſes, and buying or renting ground to erect or build the ſame upon; and from and after ſuch charges and expences ſhall be fully ſatisfied and paid, that then and from thenceforth the whole of the profits ariſing from the tolls, to be collected in purſuance of this act at any turnpike or turnpikes, that now are or hereafter ſhall be erected or ſet up from the road leading from the town of Nenagh in the county of Tipperary through the towns of Birr and Firbane in the King's county to Curranaboy bridge on the turnpike road leading to Athlone in the county of Weſtmeath, and alſo the road herein after mentioned leading from the ſaid town of Nenagh to the ſaid town of Birr, ſhall be applied for and towards the repair and ſhortening of the ſaid road.

Applied, after charges paid, to repair and ſhortening the road.

III. Provided always, that no part of the money ariſing from ſaid tolls ſhall be applied to any other purpoſe, except to the repair of the ſaid road; and that the truſtees ſhall be accountable for ſuch ſurplus, as ſhall remain, after the ſaid road ſhall be effectually repaired; and if it ſhall be found, that ſaid road can be kept in good and effectual repair for a leſs ſum, than that which ſhall be annually produced by the tolls impoſed by this act, that then and ſo often as there ſhall be any ſurplus, the ſaid commiſſioners, or any fifteen or more of them, ſhall, in ſuch proportion as they ſhall think fit, by order under their hands and ſeals reduce the tolls impoſed and made payable by this act.

If a ſurplus, 15 may by order reduce the toll.

IV. Provided alſo, that if any complaint ſhall be made to any of the judges of aſſize for the county of Tipperary, King's county, or county of Weſtmeath, that any part of the ſaid road is out of repair, ſuch judge, to whom ſuch complaint ſhall be made, ſhall examine into the matter of ſuch complaint upon oath in a ſummary way; and if he ſhall find, that any part of the ſaid road is out of repair, he ſhall by an order in writing direct the whole of the ſaid tolls, or ſo much as ſhall be neceſſary for the purpoſe, to

On complaint to judge of aſſize, ordered to be repaired out of the toll.

be

A. D. 1777-8. Chap. 39.

be applied to putting the ſaid road into ſuch repair as herein before mentioned.

Treaſurer firſt of every aſſizes to return account on oath to crown clerk,

V. And be it enacted by the authority aforeſaid, that the treaſurer of the tolls of the ſaid road ſhall on the firſt day of every aſſizes return to the clerk of the crown of each county, where a gate ſhall be erected, a particular account, ſigned by him, and verified by an affidavit at the foot thereof, ſworn before one of the judges of aſſize for ſaid county or counties reſpectively, ſpecifying the ſum received at each turnpike gate reſpectively on the ſaid road, the ſums paid by him, to whom, for what, and when, and the balance if any remaining in his hands; and the clerk of the crown ſhall lay the ſame before the grand jury at the ſaid aſſizes, to be inſpected by them, and ſhall afterwards file the ſame in his office.

laid before grand jury, and filed.

Or incapable,

VI. And be it enacted by the authority aforeſaid, that if ſuch treaſurer ſhall neglect to return ſuch account at the time herein mentioned for that purpoſe, he ſhall be incapable of holding or exerciſing ſuch office; and the judge of aſſize is hereby authorized upon due proof of ſuch omiſſion or neglect to fine the ſaid treaſurer in any ſum not exceeding fifty pounds, and in default of payment of the ſaid fine to impriſon the ſaid treaſurer for any time not exceeding ſix months; ſuch fine or fines to be applied in the ſame manner, and for the ſame purpoſes, as the tolls for the uſe of ſaid road.

and fined not above 50l.

or impriſoned not above ſix months.

Unleſs excuſe on oath.

VII. Provided always, that if a reaſonable excuſe upon oath for ſuch omiſſion ſhall be laid before ſuch judge of aſſize, and allowed by him, ſuch treaſurer ſhall not be ſubject to ſuch diſqualification or fine.

Puniſhed for perjury.

VIII. And be it enacted by the authority aforeſaid, that if any perſon, taking the oaths or making the affidavits herein before mentioned, ſhall be guilty of wilful and corrupt perjury in ſuch oaths or affidavits, ſuch perſon or perſons ſhall upon conviction thereof incur and ſuffer the like pains and penalties, to which any other perſon convicted of wilful and corrupt perjury is liable by the laws and ſtatutes of this kingdom.

Sums paid to creditors a full ſatisfaction.

IX. And be it enacted by the authority aforeſaid, that the ſums of money, which ſhall be paid to the ſaid creditors in purſuance of this act, ſhall be deemed and taken to be and ſhall be a full ſatisfaction for their ſaid debts.

The road carried in more direct line.

X. And whereas the ſaid highway or road leading from the town of Nenagh to the town of Birr in the ſaid county of Tipperary may be conſiderably ſhortened, and made more convenient for travellers, by carrying the ſame in a more direct line: be it

it enacted by the authority aforesaid, that the said road shall be carried in a new and more direct line according to the survey heretofore made thereof, said new line to commence from John Costello's forge on the lands of Graige in said county Tipperary, and to end at the house of James Piper on the said lands of Graige, which said new line contains in the whole one hundred and sixty perches and an half; and the said trustees, or any five or more of them, are hereby ordered and impowered to apply a sufficient sum for making said new line of road, and inclosing the same, and to make such recompence and satisfaction for the same out of the tolls or duties arising by virtue of this act by such a sum, as shall not exceed in the whole the sum of fifty pounds sterling.

XI. And be it further enacted by the authority aforesaid, that if any person or persons whatsoever owning, renting, or occupying any land near unto any turnpike now erected, or hereafter to be erected in pursuance of this act, shall for gain, or reward, or otherwise permit any person or persons whatsoever to pass through any gate, passage, or any way with any coach, berlin, chariot, calash, chaise, or chair, or capriole, waggon, wain, cart, car, or other carriage, or riding, or driving, or drawing any horse, ass, mule, or any other sort of cattle, to avoid the payment of the toll hereby appointed to be paid, and shall thereof be convicted upon oath of one or more credible witness or witnesses before the said trustees, or any five or more of them, or before one or more justice or justices of the peace for the county wherein such offence or offences shall be committed, which oath such trustees, and justice or justices, are respectively hereby impowered and required to administer, and to hear and determine upon the same in a summary way, every such person or persons so permitting, and also the persons who shall pass through any ground to avoid paying said toll or duty, shall forfeit and pay to the trustees authorized to put this act into execution the sum of twenty shillings, to be levied by distress and sale of the offender's goods by warrant under the hand and seal of said justice or justices, or under the hands and seals of the said trustees, or any five or more of them, such justice or justices, or said trustees, rendering the overplus (if any be) to the owner of such goods, the charges in taking and disposing of the said goods being first deducted, which penalty shall be expended by the said trustees in the repair of the said road.

Permitting passage to avoid toll, and persons passing, 40s.

XII. And be it further enacted by the authority aforesaid, that it shall and may be lawful to and for the said trustees, or any

A. D. 1777-8. Chap. 39.

five or more of them, to erect one or more gate or gates, turnpike or turnpikes, on the ſide of the highway or road acroſs any way or lane leading out of the ſaid road, and toll houſe or toll houſes, and there to receive and take ſuch toll as is appointed by this act to be taken, ſo as that the ſame do not extend to a double charge in caſe of paſſing through any other of the turnpikes now erected, or hereafter to be erected by virtue of this act, from the road leading from the ſaid town of Nenagh through the ſaid towns of Birr and Firbane to Curranaboy bridge as aforeſaid.

Side gates erected,

ſo as no double charge.

5 Truſtees at meeting to appoint treaſurer, clerk, and overſeer,

XIII. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any five or more of them, at their firſt meeting or any ſucceeding meetings by writing under their hands and ſeals ſhall and may elect, nominate, and appoint one fit perſon to be receiver or treaſurer for the purpoſes of receiving the ſaid tolls, and one other perſon to be clerk or regiſter, and overſeer, or ſurveyor, for the purpoſe of writing and keeping the minutes belonging to the ſaid road, and viewing the repairs and condition of the ſaid road, and ſhall and may from time to time

and remove

remove ſuch receiver or treaſurer, clerk, regiſter, and overſeer, or either of them, as they ſhall ſee occaſion, and appoint new ones in caſe of death, reſignation, or of ſuch removal; and the ſaid

and appoint allowance,

truſtees, or any five or more of them, ſhall and may out of the money ariſing by the ſaid tolls or duties pay or allow to the ſaid receiver or treaſurer, clerk, regiſter, or overſeer, in conſideration of his and their trouble in the execution of his and their office and offices ſuch ſum and ſums as to the ſaid truſtees, or any five or more of them, ſhall ſeem good, ſo as ſuch allowance or payment to ſuch receiver or treaſurer do not annually exceed ten pounds, and to ſuch clerk, regiſter, and overſeer, do not annually exceed ten pounds.

Giving ſecol. ſecurity by bond and 2 ſureties.

XIV. Provided always, that the perſon or perſons nominated to ſuch offices of treaſurer, receiver, and clerk, and regiſter, and overſeer, or either of them, ſhall not act in ſuch office or offices, until they and each of them reſpectively ſhall firſt enter into ſecurity by bond and warrant with two ſufficient perſons as ſureties in the ſum or penalty of five hundred pounds, payable to the truſtees of the ſaid road, conditioned that ſuch officer or officers reſpectively ſhall truly and faithfully account for and pay all ſuch ſum and ſums of money, as they ſhall reſpectively from time to time receive out of or for the tolls and duties made payable by virtue of this act to the truſtees of the ſaid road, when and as often as they ſhall be thereunto reſpectively required, and for

the faithful execution and diſcharge of the ſaid reſpective offices; and every ſuch bond and warrant, as ſoon as the ſame ſhall be executed, ſhall be lodged in the hands of the principal creditor of the ſaid road, who ſhall be preſent at the meeting of the ſaid truſtees, at which ſuch bond and warrant ſhall be executed; and if no creditor be preſent at ſuch meeting, that then the ſaid bond and warrant, or bonds and warrants, ſhall be lodged in the hands of the chairman of the board or meeting, at which ſuch bonds ſhall be perfected.

Materials raiſed, paying damage,

XV. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for ſuch perſon or perſons, as the ſaid truſtees, or any five or more of them ſhall, appoint or employ to repair the ſaid road, or any part thereof, or for any perſon or perſons with whom the ſaid truſtees ſhall contract for the repair of the ſaid road, or any part thereof, to dig, raiſe, and gather any gravel, furze, ſand, ſtones, or other materials, out of any waſte or common of any pariſh, town, village, or hamlet, in or near which any founderous or ruinous places of the ſaid highway or road do lye; and for want of ſtuff, gravel, furze, ſand, ſtones, or other materials there to dig, gather, raiſe, take, and carry away the ſame out of the waſte or common of any neighbouring pariſh, town, village, or hamlet, without paying any thing for the ſame; and where there is not ſufficient of ſaid materials in any common or waſte ground near adjoining, it ſhall and may be lawful for them by order of the ſaid truſtees, or any five or more of them, in writing, to dig, raiſe, and gather the ſame in the ſeveral grounds of any perſon or perſons, not being a garden, orchard, yard, meadow, planted walk or walks, or avenue to a houſe, where any ſuch materials are or may be found, and from time to time to carry away ſuch and ſo much thereof as ſhall be wanting for amending and repairing the ſaid road, or any part thereof, paying ſuch rates for ſuch materials to the owner or occupier of the ground from whence the ſame ſhall be digged, raiſed, gathered, and carried away, as the ſaid truſtees or any five or more of them ſhall adjudge reaſonable; and in caſe of any difference between ſuch owner and occupier and the ſaid truſtees touching the materials or damage aforeſaid, that then ſuch damage ſhall be aſſeſſed by two ſubſtantial houſeholders of the county, in which ſuch ground doth lye, one to be named by each of the ſaid parties, who ſhall be ſworn by any juſtice of the peace of ſuch county to make a true eſtimate of ſuch damages to the beſt of their ſkill and knowledge, (which oath ſuch juſtice of the peace is hereby impowered and required to adminiſter) and that if any perſon or perſons ſhall obſtruct or prevent the digging

for,

for, raiſing, or carrying away ſuch materials, ſuch perſon or perſons upon conviction by the oath of one or more credible witneſs or witneſſes before any one juſtice of the peace of the county, where ſuch offence ſhall have been committed, (which oath the ſaid juſtice is hereby impowered and required to adminiſter) ſhall for every ſuch offence forfeit and pay to the truſtees appointed for putting this act in execution a ſum not exceeding five pounds to be levied by diſtreſs and ſale of the goods of the offender or offenders by warrant under the hand and ſeal of ſuch juſtice, rendering the overplus (if any be) to the owner of ſuch goods, the charges in taking and diſpoſing of the ſaid goods being firſt deducted, which penalty ſhall be expended by the ſaid truſtees in the repair of the ſaid road.

obſtructing, 5l.

Toll but once a day in either diviſion.

XVI. And be it further enacted by the authority aforeſaid, that no perſon or perſons ſhall be obliged to pay any of the tolls herein before mentioned more than once in the ſame day within either of the diviſions of the ſaid road, but that every perſon having paid the toll or duty hereby impoſed at any one of the gates, erected or to be erected on that diviſion of the ſaid road between Curranaboy bridge in the county of Weſtmeath and the town of Firbane in the King's county, on producing a note or ticket thereof, (which the receiver or receivers of the ſaid tolls is or are hereby required to give without fee or reward) ſhall be permitted to paſs free through all the ſeveral gates on the ſaid diviſion at any time during the day, on which he ſhall have paid the ſaid toll as aforeſaid, and ſo in like manner having once paid the ſaid toll at any one of the gates on the ſaid other diviſion of the ſaid road between the ſaid town of Firbane in the King's county and the ſaid town of Birr in the King's county and town of Nenagh in the county of Tipperary, ſhall on producing ſuch ticket or note thereof be admitted at any time during the ſame day, on which he ſhall have paid the ſaid toll as aforeſaid, to paſs through all the other gates on the ſaid laſt mentioned diviſion of the ſaid road; but it is the true intention and meaning of this act, that every perſon ſhall pay twice on the ſame day, in caſe he ſhall travel over more of the ſaid road, than is contained in one diviſion of the ſame.

5 Truſtees may demiſe toll 2 years, by public cant, on notice 30 days.

XVII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any five or more of them, by any agreement or agreements, leaſe or leaſes, demiſe or demiſes in writing, to be executed by the ſaid truſtees or any five or more of them, under their hands and ſeals, to demiſe or leaſe, let, or ſet, all or any part of the tolls and duties by this act made payable,

by

by publick and open cant to the beſt and faireſt bidder for any term or time not exceeding two years to commence on the firſt day of May or firſt day of November, which ſhall firſt happen after ſuch demiſe or leaſe, thirty days previous notice being firſt given of the ſaid truſtees intentions to execute, grant, or enter into ſuch leaſe or demiſe, and of the time and place appointed for the doing thereof, which notice ſhall be ſubſcribed by the clerk or regiſter of the ſaid truſtees for the time being, and publickly poſted at the ſeveral gates for the time being on ſuch road; and all and every the rent and yearly income of the ſaid tolls ſhall be paid and applied in the ſame manner, as the tolls hereby made payable are directed and appointed to be applied; and that all leaſes and agreements to be made or entered into by the ſaid truſtees without ſuch previous notice, or for any longer term than the ſaid term of two years, to commence as aforeſaid or otherwiſe, than by publick and open cant to the beſt and higheſt bidder as aforeſaid, ſhall be to all intents and purpoſes void, any thing herein contained to the contrary notwithſtanding.

May contract for repair,

XVIII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any five or more of them, from time to time during the continuance of this act to contract or agree by the year or otherwiſe with any perſon or perſons, who at publick and open cant to be held by the ſaid truſtees, or any five or more of them, for that purpoſe ſhall undertake to repair the ſaid road, or any part thereof, on the terms moſt advantageous for the ſaid road, twenty days previous notice being firſt given of the ſaid truſtees intentions to enter into ſuch contract or agreement, and of the time and place appointed for the doing thereof, which notice ſhall be publickly poſted at the ſeveral gates for the time being on the ſaid road; and that all contracts and agreements for repairing the ſaid road, to be made or entered into by the ſaid truſtees with any other perſon or perſons, or in any other manner than as herein before is directed and appointed, ſhall be to all intents and purpoſes void, any thing herein contained to the contrary notwithſtanding.

20 Days notice.

Money due to late truſtees by 13 *G.* 2. c. 16, veſted in truſtees by this act,

XIX. And be it further enacted by the authority aforeſaid, that all and every ſum and ſums of money, which remained due to the late truſtees of the ſaid road for or upon account of the tolls and duties, which were payable by virtue of the ſaid recited act of the thirteenth year of the reign of his ſaid late Majeſty king George the ſecond, at the expiration thereof, by or from the

A. D. 1777-8. Chap. 39.

gate keepers, toll farmers, or other perſon or perſons who received the ſame, be veſted in the truſtees appointed in and by this act, to be by them recovered and received from ſuch perſons reſpectively, their executors, adminiſtrators, and ſureties; and that ſuch ſum and ſums of money, as ſhall be ſo recovered or received, after deducting thereout the expences which ſhall attend the ſuing for the ſame or the recovery thereof, ſhall be paid and applied by the truſtees appointed in and by this act, or any five or more of them, to and amongſt the ſeveral creditors of the ſaid road herein before mentioned, their executors, adminiſtrators, or aſſigns, rateably and in proportion to their ſaid reſpective debts.

and applied to creditors.

Giving or receiving ticket to avoid tolls, &c.

XX. And for the preventing frauds and abuſes in the ſaid toll or duty be it enacted by the authority aforeſaid, that if any perſon or perſons, having paid the toll or duty by this act granted and made payable, and having ſuch note or ticket or notes or tickets, as are hereby required, ſhall give or diſpoſe of the ſame to any other perſon or perſons in order to avoid the payment of the ſaid toll or duty, every ſuch perſon giving, diſpoſing, or offering, and the perſon receiving ſuch note or ticket, notes or tickets, and being thereof convicted upon the oath of one or more credible witneſs or witneſſes before the ſaid truſtees, or any ſeven or more of them, or before any one or more juſtice or juſtices of the peace for the county, wherein ſuch offence or offences ſhall be committed (which oath the ſaid truſtees or the ſaid juſtice or juſtices are hereby impowered to adminiſter) ſhall reſpectively forfeit and pay for every ſuch offence the ſum of ten ſhillings, to be levied, recovered, and diſpoſed of, as any other penalty or forfeiture is directed to be levied, recovered, and diſpoſed of by this act.

Exempt from toll.

XXI. Provided always, that no perſon ſhall be charged with any of the tolls or duties aforeſaid, who ſhall paſs through any of the turnpikes to be erected as aforeſaid, who ſhall carry any quantity of ſtones, gravel, or other materials for repairing the ſaid road, or any of the roads in the pariſhes in which the ſame do lie, or in any of the neighbouring pariſhes; nor ſhall any perſon or perſons be chargeable with the ſaid toll or duty for any carts, cars, or waggons loaded with corn in the ſtraw only, or for any plows, harrows, or other implements of huſbandry, in order to the uſing and repairing of the ſame in the ſeveral pariſhes, in which the ſaid highways hereby intended to be repaired do lye; nor ſhall any toll or duty be demanded nor taken at any of the turnpikes to be erected for any horſe, mare, gelding, aſs, or mule, or other

cattle going to water, or for any poſt horſe carrying the mail or packet, or for ſuch horſe as is or ſhall be uſed only to ride on by the owner or driver of any waggon, cart, or carriage, provided ſuch horſe paſs through the ſaid turnpike or turnpikes with ſuch waggon, cart, or carriage; nor ſhall any toll or duty be demanded or taken for the horſes of ſoldiers paſſing upon their march, or for any waggons, carts, carrs, or other carriages attending them, or for horſes, waggons, carts, carrs, or other carriages travelling with vagrants ſent by paſſes, or with priſoners tranſmitted from one part of the kingdom to another.

Continued 21 years from 1 *Auguſt* 1778.

XXII. And be it further enacted by the authority aforeſaid, that the tolls or duties hereby granted ſhall take place and have continuance from and after the firſt day of Auguſt one thouſand ſeven hundred and ſeventy eight for and during the term of twenty one years.

Other truſtees elected on vacancy by any 5 or more,

XXIII. And be it further enacted by the authority aforeſaid, that for the continuing a ſufficient number of fit perſons to be truſtees for putting in execution all and every the powers in this act contained for and during the continuance thereof it ſhall and may be lawful to and for the ſaid truſtees, or any five or more of them, upon the death or reſignation of any of the truſtees named in this act, or of any truſtees hereafter to be elected, from time to time, and at all times hereafter, during the term aforeſaid, to elect, nominate, and appoint in the room of ſuch truſtee or truſtees ſo deceaſed or reſigning another fit perſon, or ſo many more fit perſons, living in the ſaid county of Tipperary, King's county, or county of Weſtmeath, to be joined with the ſaid truſtees in the execution of all and every the power and powers in them repoſed by virtue of this act; and all and every perſon and perſons ſo to be choſen truſtee or truſtees to join in putting this act in execution, as they are herein before qualified to do, ſhall and may be impowered to act to all intents and purpoſes in as full, large, and ample manner, as the ſaid truſtees are by this act impowered to do, from time to time, as often as occaſion ſhall require.

living in the counties.

To meet and adjourn,

XXIV. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any five or more of them, ſhall meet at Nenagh in the county Tipperary on the eighth day of September one thouſand ſeven hundred and ſeventy eight, and the ſaid truſtees ſhall then adjourn themſelves, and afterwards meet there, or at any other place or places near the ſaid highway or road to be repaired, as the ſaid truſtees, or any five or more of them, ſhall think proper and convenient, as often as it ſhall be neceſſary for putting

A. D. 1777-8. Chap. 39.

putting this act in execution; and if it ſhall happen, that there ſhall not appear at any meeting, which ſhall be appointed to be had or held by the ſaid truſtees, a ſufficient number of truſtees to act at ſuch meeting and to adjourn to any other day, that then and in ſuch caſe the clerk of the ſaid truſtees by notice in writing, to be affixed to the reſpective gates or turnpikes at leaſt twenty days before the next meeting, ſhall appoint the ſaid truſtees to meet at the houſe, where the meeting of the ſaid truſtees was laſt appinted to be held, or at ſome other convenient houſe near the ſaid road, on ſome certain day to be mentioned in ſuch notice; and if a ſufficient number of truſtees do not attend on the day ſo appointed by the ſaid clerk, he ſhall appoint another day, and ſo on until a ſufficient number ſhall attend; and that the ſaid truſtees at their firſt meeting, and at all ſubſequent meetings, ſhall defray their own charges and expences.

If not a number clerk to appoint a day.

20 days notice poſted,

XXV. And be it further enacted by the authority aforeſaid, that before any aſſembly of ſuch truſtees ſhall at any time after their firſt meeting be held to do any act or acts, or to make any order or orders in purſuance of the powers veſted in the ſaid truſtees, twenty days previous notice, ſigned by the clerk or regiſter of the ſaid truſtees, of the occaſion, time, and place of meeting, ſhall be publickly poſted at every gate on the ſaid road; and that all acts, orders, and proceedings to be done, made, or had by the ſaid truſtees in purſuance of the powers in them veſted, ſhall on the day, whereon ſuch acts, orders, or proceedings, ſhall be done, made, or had, be fairly wrote in a book by ſuch clerk or regiſter, and ſubſcribed on the ſame day by five of the ſaid truſtees at leaſt, who ſhall aſſent to ſuch order, act, or proceedings, which ſaid books ſhall remain in the cuſtody of ſuch clerk or regiſter to be inſpected by any creditor or other intereſted perſon at all ſeaſonable times without fee or reward; and that all acts, orders, and proceedings to be done, made, or had, without ſuch previous notice to be poſted as aforeſaid, and which ſhall not be fairly wrote in a book, and ſubſcribed by at leaſt five of the ſaid truſtees making or aſſenting to ſuch act, order, or proceedings at the time aforeſaid, ſhall be to all intents and purpoſes void; any thing herein contained to the contrary notwithſtanding.

acts and proceedings entered by clerk, and ſubſcribed by 5;

inſpected by creditors, &c.

No truſtee to accept place of profit.

XXVI. Provided always, that if any perſon or perſons, appointed or to be appointed by this act a truſtee or truſtees for putting this act in execution, ſhall have or accept of any place of profit ariſing out of or by reaſon of the toll or duty by this act laid or granted, ſuch perſon and perſons ſhall be incapable from the

the time of accepting or continuing to enjoy ſuch place of profit, of acting as a truſtee or truſtees.

To have 50l. a year freehold or 1000l. perſonal,

XXVII. Provided alſo, and be it further enacted by the authority aforeſaid, that no perſon, hereafter to be appointed or elected a truſtee in purſuance of this act, ſhall be capable of acting as a truſtee in the execution of this act, unleſs ſuch perſon ſhall be ſeized and in the actual poſſeſſion of lands, tenements, or hereditaments, being freehold, of the clear yearly value of fifty pounds, or who ſhall not have a perſonal eſtate of the clear value of one thouſand pounds; and the perſon ſo elected, before he ſhall be admitted to act as a truſtee, ſhall ſwear, that his eſtate is of that value, before five truſtees aſſembled at a board, which oath the ſaid truſtees, or five of them, are hereby authorized and impowered to adminiſter.

on oath.

May ſue and be ſued, uſe common ſeal, take ſecurities, &c.

XXVIII. And be it further enacted by the authority aforeſaid, that the truſtees nominated and appointed in and by this act, and hereafter to be nominated and appointed in purſuance thereof, and their ſucceſſors, ſhall be perſons capable in law to ſue and be ſued, plead and to be impleaded, anſwer and to be anſwered unto, in all courts of law and equity by the name of the truſtees appointed for putting in execution the powers and authorities mentioned in this act, and ſhall make and uſe a common ſeal for the purpoſe aforeſaid, and alſo ſhall be capable in law by ſuch name to take ſecurities for any ſum or ſums of money due or to be due to them as truſtees as aforeſaid; and for performance of any agreement to be entered into with them, or for the due execution of any power or authority to be committed to any perſon or perſons concerning the ſaid road, or the tolls or duties thereof, and alſo to enter into and execute all ſuch contracts and agreements as ſhall be neceſſary for or relative to the execution of the ſaid truſt.

Service on clerk good,

if 20 days before return.

XXIX. And be it further enacted by the authority aforeſaid, that ſervice of the clerk or regiſter of the ſaid truſtees for the time being with any ſubpoena, order, decree, or proceſs of any court of law or equity, ſhall be good ſervice of the ſaid truſtees with ſuch ſubpoena, order, decree, or proceſs, ſo as ſuch ſervice be made twenty days at the leaſt before the return of ſuch ſubpoena, order, decree, or proceſs for obedience thereto.

Venue laid in ſaid counties.

XXX. And be it further enacted by the authority aforeſaid, that if any ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, that in every ſuch caſe the venue ſhall be laid in the county of Tipperary, King's county, or county of Weſtmeath, and not elſewhere; and the defendant or

A. D. 1777-8.

defendants may plead general iſſue, &c.

defendants in ſuch action or actions to be brought may plead the general iſſue, and give this act and the ſpecial matter in evidence at any trial to be had thereupon, and that the ſame was done in purſuance and by the authority of this act; and if it ſhall appear ſo to be done, or that ſuch action or actions ſhall be brought in any other county, that then the jury ſhall find for the defendant or defendants; and upon ſuch verdict, or if the plaintiff ſhall be nonſuited or diſcontinue his action after the defendant or defendants ſhall have appeared, or if on any demurrer judgment ſhall be given againſt the plaintiff, the defendant or defendants ſhall and may recover treble coſts, and have the like remedy for the ſame, as any defendant or defendants hath or have in any other caſes by law.

and have treble coſts.

A publick act.

XXXI. And be it further enacted by the authority aforeſaid, that this act ſhall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever without ſpecially pleading the ſame.

CHAP. XL.

An act for repairing the road leading from the town of Maryborough in the Queen's county through the towns of Mountrath, Caſtletown, and Borris in Oſſory in the ſame county, and from thence through the town of Roſcrea in the county of Tipperary, and through the town of Dunkerrin in the King's county to the town of Tomivarah in the ſaid county of Tipperary.

WHEREAS by an act paſſed in the ninth year of the reign of his late Majeſty king George the ſecond, entitled, *An act for repairing the road leading from the town of Maryborough in the Queen's county through the towns of Mountrath, Caſtletown, and Borris in Oſſory in the ſame county, and from thence through the town of Roſcrea to the town of Tomivarah in the county of Tipperary*, certain tolls and duties therein mentioned were granted and made payable for repairing the ſaid road for and during the term of forty one years from the firſt of May one thouſand ſeven hundred and thirty ſix, which is now expired: and whereas ſeveral ſums of money are now claimed by ſeveral perſons as due to them from the truſtees in the ſaid act mentioned: and whereas it may be reaſonable to make ſome proviſion in favour of ſuch perſons, as ſhall appear to be *bona fide* creditors, though the tolls granted by the ſaid act are expired: and whereas the ſaid road is of great

9 G. 2. c. 22.

extent, and at preſent in a very bad ſtate: and whereas the ſame tolls, as were granted by the ſaid act, would be inſufficient to repair and keep in repair the ſaid road, and alſo to make a reaſonable proviſion for ſuch creditors as aforeſaid: and whereas for the reaſons aforeſaid it is expedient, that the ſaid road from the ſaid town of Maryborough to the ſaid town of Borris in Oſſory ſhould be erected into a ſeparate and diſtinct turnpike, ſo as that a toll ſhall be collected and received on that part of the ſaid road ſeparate and diſtinct from the toll to be collected or received on the other part of the ſaid road, which leads from the ſaid town of Borris in Oſſory to the ſaid town of Tomivarah; and that the ſaid road from the ſaid town of Borris in Oſſory to the ſaid town of Tomivarah ſhould be erected into another ſeparate and diſtinct turnpike, ſo as that a toll ſhall be collected and received on that part of the ſaid road ſeparate and diſtinct from the toll to be collected or received on the other part of the ſaid road, which leads from the ſaid town of Maryborough to the ſaid town of Borris in Oſſory: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the road leading from the ſaid town of Maryborough in the Queen's county through the ſaid towns of Mountrath and Caſtletown to the ſaid town of Borris in Oſſory in the ſame county may be erected into a ſeparate and diſtinct turnpike; and that a toll may be collected and received on that part of the ſaid road ſeparate and diſtinct from the toll to be collected or received on the other part of the ſaid road, which leads from the ſaid town of Borris in Oſſory through the ſaid town of Roſcrea and Dunkerrin, to the ſaid town of Tomivarah, and that the ſaid road leading from the ſaid town of Borris in Oſſory through the ſaid town of Roſcrea in the county of Tipperary, and through the town of Dunkerrin in the King's county, to the ſaid town of Tomivarah in the county of Tipperary, may be erected into another ſeparate and diſtinct turnpike, ſo as that a toll may be collected and received on that part of the ſaid road ſeparate and diſtinct from the toll to be collected or received on the other part of the ſaid road, which leads from the ſaid town of Maryborough through the ſaid towns of Mountrath and Caſtletown to the ſaid town of Borris in Oſſory.

diſtinct turnpikes erected,

and diſtinct toll.

II. And be it enacted by the authority aforeſaid, that from and after the firſt day of Auguſt one thouſand ſeven hundred and ſeventy eight the earl of Mountrath, the earl of Drogheda, the

Truſtees appointed,

A. D. 1777-8. Chap. 40.

the earl of Upper Offory, lord viscount Carlow, lord viscount De Vesci, the right honourable Edmond Sexton Pery, the honourable John Dawson, sir Robert Staples baronet, sir Kildare Dixon Burrowes baronet, sir William Parsons baronet, sir John Parnell baronet, Charles Henry Coote esquire, John Lloyd esquire, Francis Mathew esquire, Henry Prittie esquire, Thomas Smyth esquire, Daniel Toler esquire, Peter Holmes esquire, John Prendergast esquire, John Tydd esquire, John Toler esquire, colonel Thomas Pigot, John Kilpatrick esquire, William Pole esquire, John Parnell esquire, general Hunt Walsh, reverend dean Coote, Robert Stubber esquire, William Despard esquire, Anthony Sharp esquire, reverend Frederick Trench, Robert Flood esquire, William Vaughan esquire, reverend Richard Warburton Carden, the reverend Robert Curtis, Peter Dalton esquire, Francis Roleston esquire, Luke Flood esquire, Charles White of Raheen, esquire, Moses Pim esquire, Thomas Short esquire, Edward Flood esquire, Robert White esquire, James Hutchinson esquire, John Minchin esquire, Richard Croasdale esquire, Robert Palmer esquire, the reverend Sewell Stubber, James Pim esquire, George Despard esquire, Thomas Pepper esquire, James Hutchinson of Knock, esquire, the reverend Francis Despard, Robert Anthony Flood Sharp esquire, William Minchin esquire, John Andrews esquire, Thomas Short esquire, Thomas Hutchinson esquire, James Roleston, esquire, James Hutchinson junior esquire, Robert lord Jocelyn, John Thomas Waller esquire, Robert Waller esquire, reverend Richard Maunsell, reverend William Waller, John Bloomfield esquire, Thomas Otway esquire, Cook Otway esquire, James Poe esquire, Arthur Blenerhassett esquire, Rowland Bateman esquire, Edward Leslie esquire, James Carigue Ponsonby esquire, James Stephens esquire, dean Pery, John Dowdall Hammond, John Perey, George Perey, Samuel Harden, the reverend Cecil Westropp, Thomas Westropp, Dowdall Pigott, John Pigott, Henry Baylee esquires, Robert Peppard, Maurice Huddert junior gentleman, sir Henry Hartstonge, baronet, Hugh Cane esquire, and Standish Grady of Cappercullen esquire, the right honourable sir Robert Tilson Deane baronet, the honourable Hugh Massey, the honourable John Massey, Mathew Cassan esquire, Robert Baldwin esquire, Jonathan Baldwin esquire, Henry Moon esquire, Richard Vicars esquire, Humphry Palmer esquire, Joseph Palmer esquire, Richard Philips esquire, Joseph Calcutt, Benjamin Softlaw esquire, John Benington esquire, William Walpole esquire, John Kemmis

Kemmis eſquire, John Murray Prior eſquire, Henry Palmer eſquire, Thomas Palmer eſquire, Thomas Humphrys eſquire, John White eſquire, William Drought, Robert Drought, Richard Steele eſquire, Thomas Conway eſquire, Thomas Spunner eſquire, and Robert Jackſon eſquire, ſhall be and are hereby nominated and appointed truſtees of the ſaid roads, and that they or any ſeven or more of them, or ſuch perſon or perſons as they, or any ſeven or more of them, ſhall authorize and appoint, ſhall and may erect or cauſe to be erected one or more gate or gates, turnpike or turnpikes, in, upon, or acroſs any part or parts of the ſaid highways or roads, and on the ſide of the ſaid highways or roads acroſs any road or lane leading out of the ſaid highways or roads within the Queen's county, King's county, or county of Tipperary, and alſo a toll houſe or toll houſes contiguous to ſuch gate or gates, and there ſhall receive and take the tolls and duties following, before any horſe, mare, gelding, aſs, mule, cattle, or other beaſt, coach, berlin, chariot, calaſh, chaiſe, chair, waggon, wain, cart, car, or other carriage, ſhall be permitted to paſs through the ſame (that is to ſay) for every coach, berlin, chariot, calaſh, chaiſe, or chair, drawn by ſix horſes, geldings, or mares, or other beaſts of burden, the ſum of one ſhilling and ſixpence; for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by four horſes, geldings, or mares, or other beaſt of burden, the ſum of one ſhilling; for every coach, berlin, chariot, calaſh, chaiſe, or chair, drawn by two horſes, geldings or mares, or other beaſt of burthen, the ſum of eight pence; for every waggon, wain, cart, or carriage with four wheels the ſum of five ſhillings; for every wain, cart, or carriage with two wheels, drawn by two horſes, geldings, mares, aſſes, or mules, the ſum of four pence; for every wain, cart, or carriage with two wheels, drawn by three or more horſes, mares, geldings, aſſes, or mules, the ſum of two ſhillings and ſix pence; for every carriage commonly called a chair or chaiſe with one horſe, mare, gelding, or other beaſt of burden, the ſum of four pence; for every car, or other carriage, having but one horſe, mare, gelding, aſs, or mule, the ſum of two pence, except cars or other carriages laden with turf, hay, and corn unthreſhed only, and drawn by one horſe, mare, or gelding, aſs, or mule, which are hereby exempted from any of the tolls charged by this act; for every horſe, mare, gelding, mule, or aſs, with any perſon riding thereon, the ſum of three halfpence; for every horſe, mare, gelding, mule, or aſs, laden or unladen, and not drawing, nor having

A. D. 1777-8. Chap. 40.

any 7 may erect gates, and take toll,

the toll.

A. D. 1777-8. Chap. 40.

having any perſon riding thereon, the ſum of one penny; for every drove of oxen, cows, or neat cattle, the ſum of one ſhilling and eight pence by the ſcore, and ſo in proportion for any greater or leſſer number; for every drove of hogs, calves, ſheep, goats, or lambs, the ſum of five pence by the ſcore, and ſo in proportion for any greater or leſſer number; which ſaid reſpective ſum and ſums of money ſhall be demanded and taken in the name of or as a toll or tolls, and the money thereby to be raiſed and collected is and ſhall be veſted in the ſaid truſtees, and every part thereof ſhall be paid, applied, and diſpoſed of to and for the ſeveral uſes, intents, and purpoſes, and in ſuch manner, as is herein after mentioned and directed; and that the ſaid truſtees or any ſeven or more of them, ſhall be impowered by themſelves or any perſon or perſons by them, or any ſeven or more of them, under their hands and ſeals thereunto authorized, to levy the toll or duty hereby required to be paid upon any perſon or perſons, who ſhall after demand thereof neglect or refuſe to pay the ſame; by diſtreſs of any horſe or horſes, or other cattle or goods, upon which ſuch toll or duty is by this act impoſed, or upon any other of the goods and chattles of ſuch perſon or perſons who ought to pay the ſame, and may detain and keep the ſame, until ſuch toll or duty with the reaſonable charges of ſuch diſtraining or keeping ſhall be paid; and that it ſhall and may be lawful to and for ſuch perſon or perſons ſo diſtraining, after the ſpace of five days from the time of taking ſuch diſtreſs, to ſell the goods ſo diſtrained, returning the overplus (if any be) upon demand to the owner thereof, after ſuch toll or duty, and the reaſonable charges for diſtraining and keeping the ſame, ſhall be deducted and paid.

No gate nearer *Maryborough* than the former.

III. Provided always, that no ſuch gate or turnpike ſhall be erected by virtue of this act at any place nearer to the ſaid town of Maryborough, than the place where the gate erected in purſuance of the ſaid former act lately ſtood near the inn at Boughlone.

Tolls, after charges and ſalaries, applied to repair,

IV. And be it further enacted by the authority aforeſaid, that out of the firſt money ariſing from the profits of the ſeveral turnpikes ſo to be erected the ſaid truſtees, or any ſeven or more of them, ſhall firſt pay and diſcharge the expence of erecting ſuch turnpike or turnpikes, and building and repairing ſuch toll houſe or toll houſes, and buying or renting ground to erect or build the ſame upon; and from and after ſuch charges and expences ſhall be fully ſatisfied and paid, that then and from thenceforth the whole of the profits ariſing from the tolls to be collected in purſuance

ſuance of this act, after deducting the ſalaries herein after mentioned, ſhall be applied to put all the ſaid road into effectual and compleat repair, and from time to time to keep the ſame in ſuch repair; and when the whole of the ſaid road ſhall be effectually repaired as aforeſaid, the ſurplus of the ſaid tolls ſhall be diſtributed and paid to and amongſt ſuch perſons, as ſhall appear upon the examination herein after directed to be *bona fide* creditors upon the ſaid road, rateably and in proportion to their reſpective debts.

Surplus to creditors rateably.

V. Provided always, that no part of the money ariſing from the ſaid tolls ſhall be applied to any other purpoſe, except to the erecting ſuch turnpike or turnpikes, and building and repairing ſuch toll houſe or toll houſes, and buying or renting ground to erect the ſame upon, paying the ſalaries herein after mentioned, and repairing of the ſaid roads, until it ſhall have been proved upon oath to the ſatisfaction of the ſaid truſtees, or any fifteen or more of them, which oath the ſaid truſtees, or any fifteen or more of them, are hereby impowered to adminiſter, by the teſtimony of three credible witneſſes at the leaſt, which teſtimony ſhall be reduced into writing and ſigned by them reſpectively, and lodged with the clerk, that the ſaid road is in good and compleat order and condition, and until the ſaid truſtees, or any fifteen or more of them, ſhall have reſolved, that the ſaid road is in good and compleat order and condition, and ſhall have entered ſuch reſolution in their books, and ſigned the ſame with their reſpective hands.

Not applied to other purpoſe till 15 enter reſolution that the road is in compleat order, on oath of 3 ſigned and lodged.

VI. Provided alſo, that as often as any part of the ſaid road ſhall become out of repair, no part of the ſaid tolls ſhall be paid to the ſaid creditors, until the ſame ſhall be effectually repaired, and ſuch repairs proved in the manner herein before mentioned.

No payment to creditors till repair proved as aforeſaid.

VII. Provided alſo, that if any complaint ſhall be made to any of the judges of aſſize for the Queen's county, that any part of the ſaid road lying in the King or Queen's county is out of repair, or if any complaint ſhall be made to any of the judges of aſſize for the county of Tipperary, that any part of the ſaid road lying in the county of Tipperary is out of repair, ſuch judge, to whom ſuch complaint ſhall be made, ſhall examine into the matter of the ſaid complaint upon oath in a ſummary way; and if he ſhall find, that any part of the ſaid road is out of repair, he ſhall by an order in writing direct the whole of the ſaid tolls, or ſo much as ſhall be neceſſary for the purpoſe, to be applied to the putting the ſaid road into ſuch repair, as is herein before mentioned.

Judge of aſſize on complaint ſhall order tolls to the repair.

VIII. And

A. D. 1777-8. Chap. 40.

15 before diſtribution among creditors ſhall examine the reality of debts.

VIII. And be it enacted by the authority aforeſaid, that the ſaid truſtees, or any fifteen or more of them, ſhall, before any ſuch diſtribution ſhall be made amongſt the ſaid creditors, examine into the genuineſs and reality of the debentures, under which the ſaid creditors claim their reſpective debts; and if any doubts ſhall ariſe thereon, or if any doubt ſhall ariſe, whether ſuch debentures were really and *bona fide* given or made for good and valuable conſideration, or if any other doubts ſhall ariſe concerning any debt, claimed by any perſon upon the ſaid road, then the ſaid commiſſioners, or any fifteen or more of them, ſhall proceed to examine upon oath touching the matters aforeſaid ſuch perſons, againſt whom no legal objection ſhall lie, as ſhall be produced as well for as againſt the ſaid creditors; and the teſtimony of the ſaid perſons ſhall be reduced into writing, and ſigned by them reſpectively, and lodged with the clerk.

And determine which are real and for what ſums.

IX. And be it enacted by the authority aforeſaid, that after ſuch examination ſhall be had as aforeſaid, it ſhall and may be lawful to and for the ſaid truſtees, or any fifteen or more of them, to determine which of the perſons, claiming to be creditors on the ſaid road, are real creditors, and for what ſums reſpectively; and ſuch determination ſhall be entered in the books of the ſaid truſtees, and ſigned by ſuch of them as ſhall be preſent at the meeting, at which ſuch determination ſhall be made.

Treaſurers to return ſeparate account verified by affidavit to crown clerk 1ſt of every aſſizes,

X. And be it enacted by the authority aforeſaid, that the treaſurer of the tolls of the ſaid road ſhall, on the firſt day of every aſſizes to be holden in and for the county of Tipperary, return to the clerk of the crown a ſeparate and particular account in writing concerning ſuch part of the ſaid road as lies within the ſaid county of Tipperary, ſigned by him, and verified by an affidavit at the foot thereof, ſworn before one of the judges of aſſize, which oath ſaid judge of aſſize is hereby impowered to adminiſter, ſpecifying the ſums received at each turnpike gate on ſuch part of the ſaid road as lies in the ſaid county of Tipperary; or, if any ſuch gate ſhall be leaſed or demiſed purſuant to the directions in this act, then ſpecifying the ſum by him received on account of the rent thereof, the ſums paid by him on account of ſuch parts of the ſaid road, to whom paid, and for what, and when, and the balance (if any) remaining in his hands; and the ſaid treaſurer ſhall in like manner, on the firſt day of every aſſizes to be holden in and for the Queen's county, return to the clerk of the crown a ſeparate and particular account in writing, concerning ſuch part of the ſaid road as lies within the

the King or Queen's county, ſigned by him, and verified by an affidavit at the foot thereof ſworn before one of the judges of aſſize, which oath ſaid judge of aſſize is hereby impowered to adminiſter, ſpecifying the ſums received at each turnpike gate on ſuch parts of the ſaid road as lie in the ſaid King and Queen's county; or if any ſuch gates ſhall be leaſed or demiſed, then ſpecifying the ſums received by him on account of the rent thereof, the ſums paid by him on account of ſuch part of the ſaid road, to whom paid, and for what and when, the balance, (if any) remaining in his hands; and the clerk of the crown at each of the ſaid aſſizes ſhall lay the ſaid reſpective accounts before the grand jury at the ſaid aſſizes reſpectively to be inſpected by them, and ſhall afterwards file the ſame in his office.

laid before grand jury.

and filed.

XI. And be it enacted by the authority aforeſaid, that if ſuch treaſurer ſhall neglect to return ſuch accounts at the time herein mentioned for the purpoſe, he ſhall be incapable of holding or exerciſing ſuch office; and the judge preſiding at ſuch aſſizes, where ſuch default ſhall be made, ſhall alſo fine him in the ſum of fifty pounds, and in caſe of non payment thereof commit him to priſon, until ſuch fine ſhall be paid; and ſuch fine ſhall be applied in the ſame manner and for the ſame purpoſes as the tolls of the ſaid road.

Or incapable, and fined 50l.

or impriſoned.

XII. Provided always, that if ſuch reaſonable excuſe upon oath for ſuch omiſſion ſhall be laid before ſuch judge of aſſize, and allowed by him, ſuch treaſurer ſhall not be ſubject to any diſqualification or fine.

Unleſs excuſe on oath allowed.

XIII. And be it enacted by the authority aforeſaid, that if any of the perſons, taking the oaths or making the affidavits herein before mentioned, ſhall be guilty of wilful and corrupt perjury in ſuch oaths or affidavits, ſuch perſon or perſons ſhall on conviction thereof incur and ſuffer the like pains and penalties, to which any other perſon convicted of wilful and corrupt perjury is liable by the laws and ſtatutes of this kingdom.

Puniſhed for perjury.

XIV. And be it enacted by the authority aforeſaid, that the ſums of money, which ſhall be paid to and accepted by the ſaid creditors in purſuance of this act, ſhall be deemed and taken to be and ſhall be a full ſatisfaction for their ſaid debts, or for ſo much thereof as the ſaid creditors reſpectively ſhall agree to have diſcharged by ſuch payment.

Payment to creditors a ſatisfaction.

XV. And be it further enacted by the authority aforeſaid, that if any perſon or perſons whatſoever, owning, renting, or occupying any land near unto any turnpikes that ſhall be erected in purſuance of this act, ſhall for gain, reward, or otherwiſe, permit

Permitting paſſage to avoid toll, and perſons paſſing, forfeit 20s.

mit any perſon or perſons whatſoever to paſs through any gate, paſſage, or way with any coach, berlin, chariot, calaſh, chaiſe, or chair, waggon, wain, cart, car, or other carriage, or riding or driving any horſe, aſs, mule, or any ſort of cattle, to avoid the payment of the toll hereby appointed to be paid, and ſhall be thereof convicted, upon oath of one or more credible witneſs or witneſſes before the ſaid truſtees, or any ſeven or more of them, or before one or more juſtice or juſtices of the peace for the county wherein ſuch offence or offences ſhall be committed (which oath ſuch truſtees and juſtice or juſtices reſpectively are hereby impowered to adminiſter) every perſon or perſons ſo permitting, and alſo the perſon and perſons who ſhall paſs through any ground to avoid paying ſaid toll or duty, ſhall forfeit and pay to the truſtees appointed for putting this act into execution the ſum of twenty ſhillings, to be levied by diſtreſs and ſale of the offender's goods by warrant under the hand and ſeal or under the hands and ſeals of the ſaid truſtees, or any ſeven or more of them, or ſuch juſtice or juſtices, rendering the overplus (if any be) to the owner of ſuch goods, the charges in taking and diſpoſing of the ſaid goods being firſt deducted, which penalty ſhall be expended by the ſaid truſtees in the repair of the ſaid road.

7 Truſtees at meeting to appoint treaſurer, clerk, and overſeer,

and remove,

and ſalaries.

XVI. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, at their firſt meeting, or any ſucceeding meeting, by writing under their hands and ſeals ſhall and may elect, nominate, and appoint one fit perſon to be receiver or treaſurer for the purpoſe of receiving the ſaid tolls, and one other perſon to be clerk or regiſter, and overſeer or ſurveyor, for the purpoſe of writing and keeping the minutes belonging to the ſaid roads, and viewing the repairs and condition of the ſaid roads, and ſhall and may from time to time remove ſuch receiver or treaſurer, clerk, regiſter, and overſeer, or either of them, as they ſhall ſee occaſion, and appoint new ones in caſe of death, reſignation, or ſuch removal; and the ſaid truſtees, or any ſeven or more of them, ſhall and may, out of the money ariſing by the ſaid tolls or duties, pay or allow to the ſaid receiver or treaſurer, clerk, regiſter, or overſeer, in conſideration of his and their trouble in the execution of his and their office and offices ſuch ſum or ſums, as to the ſaid truſtees or any ſeven or more of them ſhall ſeem good, ſo as ſuch allowance or payment to ſuch receiver or treaſurer do not annually exceed ten pounds, and to ſuch clerk, regiſter, and overſeer, do not annually exceed ten pounds.

XVII. Pro-

On bond with 2 sureties in 500l.

XVII. Provided always, that the perſon or perſons to be nominated to the ſaid offices of treaſurer or receiver, and clerk, or regiſter and overſeer, or either of them, ſhall not act in ſuch office or offices, until they and each of them reſpectively ſhall firſt enter into ſecurity by bond and warrant with two ſufficient perſons as ſecurities in the ſum or penalty of five hundred pounds, payable to the truſtees of the ſaid road, conditioned that ſuch officer or officers reſpectively ſhall truly and faithfully account for and pay all ſuch ſum and ſums of money, as they ſhall reſpectively from time to time receive out of or for the tolls and duties made payable by virtue of this act, to the truſtees of the ſaid roads, when and as often as they ſhall be reſpectively thereunto required, and for the faithful execution and diſcharge of the ſaid reſpective offices; and every ſuch bond and warrant, as ſoon as the ſame ſhall be executed, ſhall be lodged in the hands of the principal creditor of the ſaid roads, who ſhall be preſent at the meeting of the ſaid truſtees, at which ſuch bond and warrant ſhall be executed; and if no creditor be preſent at ſuch meeting, that then the ſaid bond and warrant, or bonds and warrants, ſhall be lodged in the hands of the chairman of the board or meeting, at which ſuch bonds ſhall be perfected.

Materials raiſed, paying damage.

XVIII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for ſuch perſon or perſons, as the ſaid truſtees or any ſeven or more of them ſhall appoint or employ to repair the ſaid roads, or any part thereof, or for any perſon or perſons with whom the ſaid truſtees ſhall contract for the repair of the ſaid roads or any part thereof, to dig, raiſe, and gather any gravel, ſand, ſtones, or other materials, in the grounds of any perſon or perſons, not being a garden, orchard, yard, or meadow, planted walk or walks, or avenue to an houſe, where any ſuch materials are or may be found, and from time to time to carry away ſuch and ſo much thereof, as ſhall be wanting for repairing the ſaid roads, or any part thereof, paying ſuch rates for ſuch materials, and for the damage which ſhall be done, to the owner or occupier of the ground from whence the ſame ſhall be raiſed, and carried away, as the ſaid truſtees, or any ſeven or more of them, ſhall judge reaſonable; and in caſe of any difference between ſuch owner or occupier and the ſaid truſtees touching the value of the materials or damage aforeſaid, that then ſuch damage ſhall be aſſeſſed by two ſubſtantial houſe holders of the county, in which ſuch ground doth lie, one to be named by each of the ſaid parties, who ſhall be ſworn by any juſtice of the peace of ſuch county to make a true eſtimate of

ſuch

A. D. 1777-8. Chap. 40.

ſuch damages to the beſt of their ſkill and knowledge, (which oath ſuch juſtice of the peace is hereby impowered and required to adminiſter) and that if any perſon or perſons ſhall obſtruct or prevent the digging for, raiſing, or carrying away ſuch materials, ſuch perſon or perſons upon conviction before any one juſtice of the peace of the county, where ſuch offence ſhall have been committed, (which oath the ſaid juſtice is hereby impowered and required to adminiſter) ſhall for every ſuch offence forfeit and pay to the truſtees appointed for putting this act in execution a ſum not exceeding five pounds, to be levied by diſtreſs and ſale of the goods of the offender or offenders by warrant under the hand and ſeal of ſuch juſtice, rendering the overplus (if any be) to the owner of ſuch goods, the charges in taking and diſpoſing of the ſaid goods being firſt deducted, which penalty ſhall be expended by the ſaid truſtees in the repair of the ſaid road.

obſtructing, 5l.

Toll but once a day in either diviſion.

XIX. And be it further enacted by the authority aforeſaid, that no perſon or perſons ſhall be obliged to pay any of the tolls herein before mentioned more than once in the ſame day within either of the diviſions of the ſaid road, but that every perſon, having paid the toll or duty hereby impoſed at any one of the gates erected or to be erected on that diviſion of the ſaid road between the ſaid town of Maryborough in the Queen's county and the ſaid town of Borris in Oſſory in the ſame county, on producing a note or ticket thereof, (which the receiver or receivers of the ſaid tolls is or are hereby required to give without fee or reward) ſhall be permitted to paſs free through all the ſeveral gates on the ſaid diviſion at any time during the day, on which he ſhall have paid the ſaid toll as aforeſaid, ſuch day to be computed from twelve o'clock each night to twelve o'clock on the ſucceeding night, and ſo in like manner having once paid the ſaid toll at any one of the gates on the ſaid other diviſion of the ſaid road between the ſaid town of Borris in Oſſory in the Queen's county and the ſaid town of Tomivarah in the county of Tipperary, ſhall on producing ſuch ticket or note thereof be admitted at any time during the ſame day, to be computed as aforeſaid, on which he ſhall have paid the ſaid toll as aforeſaid, to paſs through all the other gates on the ſaid laſt mentioned diviſion of the ſaid road; but it is the true intention and meaning of this act, that every perſon ſhall pay twice on the ſame day, in caſe he ſhall travel over more of the ſaid road, than is contained in one diviſion of the ſame.

XX. And be it further enacted by the authority aforſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any

ſeven

ſeven or more of them, by any agreement or agreements, leaſe or leaſes, demiſe or demiſes in writing, to be executed by the ſaid truſtees, or any ſeven or more of them, under their hands and ſeals, to demiſe or leaſe, ſet, or let, all or any part of the tolls and duties by this act made payable by publick and open cant to the beſt and faireſt bidder for any term or time not exceeding two years, to commence on the firſt day of May or firſt day of November, which ſhall firſt happen after ſuch demiſe or leaſe, thirty days previous notice being firſt given of the ſaid truſtees intentions to execute, grant, or enter into ſuch leaſe or demiſe, and of the time and place appointed for doing thereof, which notice ſhall be ſubſcribed by the clerk or regiſter of the ſaid truſtees for the time being, and publickly poſted at the ſeveral gates for the time being on ſuch road; and all and every the rent or yearly income of the ſaid tolls ſhall be paid and applied in the ſame manner, as the tolls hereby made payable or directed are appointed to be applied: and that all leaſes and agreements to be made or entered into by the ſaid truſtees without ſuch previous notice, or for any longer term than the ſaid term of two years, to commence as aforeſaid, or otherwiſe than by publick and open cant to the beſt and higheſt bidder as aforeſaid, ſhall be to all intents and purpoſes void, any thing herein contained to the contrary notwithſtanding.

7 may by publick cant demiſe tolls 2 years,

on 30 days notice.

XXI. And be it further enacted by the authority aforſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, from time to time during the continuance of this act to contract or agree by the year or otherwiſe with any perſon or perſons, who at a publick and open cant to be held by the ſaid truſtees for that purpoſe ſhall undertake to repair the ſaid road, or any part thereof, on the terms moſt advantageous to the ſaid road, twenty days previous notice being firſt given of the ſaid truſtees intentions to enter into ſuch contract or agreement, and of the time and place appointed for the doing thereof, which notice ſhall be publickly poſted at the ſeveral gates for the time being on the ſaid road; and that all contracts and agreements for repairing the ſaid road, to be made or entered into by the ſaid truſtees otherwiſe than by publick cant, or without ſuch notice as aforeſaid, ſhall be to all intents and purpoſes void, any thing herein contained to the contrary notwithſtanding.

May contract for repair,

20 days notice,

XXII. And be it further enacted by the authority aforeſaid, that all and every ſum and ſums of money, which remained due to the late truſtees of the ſaid road for or upon account of the tolls

Former toll due under 9 *G.* 2. c. 22. veſted in ſaid truſtees,

A. D. 1777-8. Chap. 40.

tolls and duties, which were payable by virtue of the ſaid recited act of the ninth year of the reign of his ſaid late Majeſty king George the ſecond, at the expiration thereof, by or from the gate keepers, toll farmers, or other perſon or perſons who received the ſame, be veſted in the truſtees appointed in and by this act, to be by them recovered and received from ſuch perſons reſpectively, their executors, adminiſtrators and ſureties; and that ſuch ſum and ſums of money, as ſhall be ſo recovered or received, after deducting thereout the expences which ſhall attend ſuing for the ſame or the recovery thereof, ſhall be paid and applied by the truſtees appointed in and by this act, or any ſeven or more of them, to and amongſt the ſeveral creditors of the ſaid road herein before mentioned, their executors, adminiſtrators or aſſigns, rateably and in proportion to their ſaid reſpective debts.

applied to creditors rateably.

XXIII. And for the preventing frauds and abuſes in the ſaid toll or duty be it enacted by the authority aforeſaid, that if any perſon or perſons, having paid the toll or duty by this act granted and made payable, and having ſuch note or ticket, notes or tickets, as are hereby required, ſhall give or diſpoſe of the ſame to any other perſon or perſons in order to avoid the payment of the ſaid toll or duty, every ſuch perſon, giving, diſpoſing, or offering, and the perſon receiving, ſuch note or ticket, notes or tickets, and being thereof convicted upon the oath of one or more credible witneſs or witneſſes before the ſaid truſtees or any ſeven or more of them, or before any one or more juſtice or juſtices of the peace for the county wherein ſuch offence or offences ſhall be committed (which oath the ſaid truſtees or the ſaid juſtice or juſtices are hereby empowered to adminiſter) ſhall reſpectively forfeit and pay for every ſuch offence the ſum of ten ſhillings, to be levied, recovered, and diſpoſed of, as any other penalty or forfeiture is directed to be levied, recovered, and diſpoſed of by this act.

Giving or receiving ticket to avoid toll, 10s.

XXIV. Provided always, that no perſon ſhall be charged with any of the tolls or duties aforeſaid, who ſhall paſs through any of the turnpikes to be erected as aforeſaid, who ſhall carry any quantity of ſtores *, gravel, or other materials for repairing the ſaid road, or any of the roads in the pariſhes in which the ſame do lie, or in any of the neighbouring pariſhes; nor ſhall any perſon or perſons be chargeable with the ſaid toll or duty for any carts, cars, or waggons loaded with corn in the ſtraw only, or for any plows, harrows, or other implements of huſbandry, in order to the uſing or repairing of the ſame in the ſeveral pa-

Exempt from toll.

riſhes in which the ſaid highways hereby intended to be repaired do lie; nor ſhall any toll or duty be demanded or taken at any of the turnpikes to be erected for any horſe, mare, gelding, aſs, or mule, or other cattle going to water, or for any poſt horſe carrying the mail or packet, or for ſuch horſe as is or ſhall be uſed only to ride on by the owner or driver of any waggon, cart, or carriage; provided ſuch horſe paſs through the ſaid turnpike or turnpikes with ſuch waggon, cart, or carriage; nor ſhall any toll or duty be demanded or taken for the horſes of ſoldiers paſſing, that are upon their march, or for any waggons, carts, cars, or other carriages attending them, or for horſes, waggons, carts, cars, or other carriages travelling with vagrants ſent by paſſes or with priſoners tranſmitted from one part of the kingdom to another.

Continued 21 years from 1 *Aug.* 1778.

XXV. And be it further enacted by the authority aforeſaid, that the tolls or duties hereby granted ſhall take place, and have continuance, from and after the firſt day of Auguſt, one thouſand ſeven hundred and ſeventy eight for and during the term of twenty one years.

7 may elect on vacancy,

XXVI. And be it further enacted by the authority aforeſaid, that for the continuing a ſufficient number of fit perſons to be truſtees for putting in execution all and every the powers in this act contained for and during the continuance thereof, it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, upon the death or reſignation of any of the ſaid truſtees named in this act, or of any truſtee hereafter to be elected, from time to time, and at all times hereafter, during the term aforeſaid, to elect, nominate, and appoint in the room of ſuch truſtee or truſtees ſo deceaſed or reſigning another fit perſon or ſo many more fit perſons living in the ſaid Queen's county, King's county, or county of Tipperary, to be joined with the ſaid truſtees in the execution of all and every the power and powers in them repoſed by virtue of this act; and all and every perſon and perſons, ſo to be choſen truſtee or truſtees to join in putting this act into execution, as they are herein before qualified to do, ſhall and may be impowered to act to all intents and purpoſes in as full, large, and ample manner, as the ſaid truſtees are by this act impowered to do, and ſo from time to time as often as occaſion ſhall require.

living in ſaid counties.

XXVII. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, ſhall meet at Maryborough in the Queen's county on the eighth day of September one thouſand ſeven hundred and ſeventy eight, and the

the ſaid truſtees ſhall then adjourn themſelves, and afterwards meet there or at any other place or places near the ſaid highway or road to be repaired, as the ſaid truſtees, or any ſeven or more of them ſhall think proper and convenient, as often as it ſhall be neceſſary for putting this act in execution; and if it ſhall happen, that there ſhall not appear at any meeting, which ſhall be appointed to be had or held by the ſaid truſtees, a ſufficient number of truſtees to act at ſuch meeting, and to adjourn to any other day, that then and in ſuch caſe the clerk of the ſaid truſtees by notice in writing, to be affixed at the reſpective gates or turnpikes at leaſt twenty days before the next meeting, ſhall appoint the ſaid truſtees to meet at the houſe, where the meeting of the ſaid truſtees was laſt appointed to be held, or at ſome other convenient houſe near the ſaid road, on ſome certain day to be mentioned in ſuch notice; and if a ſufficient number of truſtees do not attend on the day ſo appointed by the ſaid clerk, he ſhall appoint another day, and ſo on until a ſufficient number ſhall attend; and that the ſaid truſtees at their firſt meeting and at all ſubſequent meetings ſhall defray their own charges and expences.

Clerk to appoint meeting, if not a number,

truſtees to defray charges,

XXVIII. And be it further enacted by the authority aforeſaid, that before any aſſembly of ſuch truſtees ſhall at any time after their firſt meeting be held to do any act or acts, or to make any order or orders, in purſuance of the powers veſted in the ſaid truſtees, twenty days previous notice, ſigned by the clerk or regiſter of the ſaid truſtees, of the occaſion, time, and place of meeting, ſhall be publickly poſted at every gate on the ſaid road; and that all acts, orders, and proceedings to be done, made, or had by the ſaid truſtees in purſuance of the powers in them veſted, ſhall on the day, whereon ſuch acts, orders, or proceedings ſhall be done, made, or had, be fairly wrote in a book by ſuch clerk or regiſter and ſubſcribed on the ſame day by ſeven of the ſaid truſtees at leaſt, who ſhall aſſent to ſuch order, act, or proceedings, which ſaid book ſhall remain in the cuſtody of ſuch clerk or regiſter, to be inſpected by any creditor or other intereſted perſon at all ſeaſonable times without fee or reward; and that all acts, orders, and proceedings to be done, made, or had, without ſuch previous notice to be poſted as aforeſaid, and which ſhall not be fairly wrote in a book, and ſubſcribed by at leaſt ſeven of the ſaid truſtees making or aſſenting to ſuch act, order, or proceedings at the time aforeſaid, ſhall be to all intents and purpoſes void; any thing herein contained to the contrary notwithſtanding.

20 days notice poſted,

acts entered on the day,

ſubſcribed by 7,

XXIX. Provided

XXIX. Provided always, That if any perſon or perſons, appointed or to be appointed by this act a truſtee or truſtees for putting this act in execution, ſhall have or accept of any place of profit ariſing out of or by reaſon of the toll or duty by this act laid or granted, ſuch perſon and perſons ſhall be incapable from the time of accepting ſuch place of profit of acting as a truſtee or truſtees, during ſuch time as he ſhall continue to enjoy ſuch place.

No place of profit to truſtee.

XXX. Provided alſo, and be it further enacted by the authority aforeſaid, That no perſon, hereafter to be appointed or elected a truſtee in purſuance of this act, ſhall be capable of acting as a truſtee in the execution of this act, unleſs ſuch perſon ſhall be ſeized and in the actual poſſeſſion of lands, tenements, or hereditaments, being freehold, of the clear yearly value of fifty pounds, or who ſhall not have a perſonal eſtate of the clear value of one thouſand pounds; and the perſon ſo elected, before he ſhall be admitted to act as a truſtee, ſhall ſwear, that his eſtate is of the ſaid value before ſeven truſtees aſſembled at a board, which oath the ſaid truſtees, or ſeven of them, are hereby authorized and impowered to adminiſter.

To have 50l. a year freehold, or 1000l. perſonal, on oath.

XXXI. And be it further enacted by the authority aforeſaid, That the truſtees nominated and appointed in and by this act, and hereafter to be nominated and appointed in purſuance of this act, and their ſucceſſors, ſhall be perſons capable in law to ſue and be ſued, plead and be impleaded, anſwer and be anſwered unto, in all courts of law and equity by the name of the truſtees appointed for putting in execution the powers and authorities mentioned in this act, and ſhall make and uſe a common ſeal for the purpoſes aforeſaid, and alſo ſhall be capable in law by ſuch name to take ſecurities for any ſum or ſums of money due or to be due to them as truſtees as aforeſaid; and for performance of any agreement to be entered into with them, and for the due execution of any power or authority to be committed to any perſon or perſons concerning the ſaid road, or the tolls or duties thereof, and alſo to enter into and execute all ſuch contracts and agreements, as ſhall be neceſſary for or relate to the execution of the ſaid truſt.

May ſue, plead, uſe common ſeal, &c.

XXXII. And be it further enacted by the authority aforeſaid, That ſervice of the clerk or regiſter of the ſaid truſtees for the time being with any ſubpœna, order, decree, or proceſs of any court of law or equity ſhall be good ſervice of the ſaid truſtees with ſuch ſubpœna, order, decree, or proceſs.

Service on clerk good.

A. D. 1777-8.

Actions laid in ſaid counties, defendants may plead general iſſue, &c.

XXXIII. And be it further enacted by the authority aforeſaid, That if any ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, that in every ſuch caſe the action ſhall be laid in the Queen's county, King's county, or county of Tipperary, and not elſewhere; and the defendant or defendants in ſuch action or actions to be brought may plead the general iſſue, and give the ſpecial matter in evidence at any trial to be had thereupon, and that the ſame was done in purſuance and by the authority of this act; and if it ſhall appear ſo to be done, or if ſuch action or actions ſhall be brought in any other county, that then the jury ſhall find for the defendant or defendants; and upon ſuch verdict, or if the plaintiff ſhall be nonſuited, or diſcontinue his action, after the defendant or defendants ſhall have appeared, or if on any demurrer judgment ſhall be given againſt the plaintiff, the defendant or defendants ſhall and may recover treble coſts, and have the like remedy for the ſame, as any defendant or defendants hath or have in any other caſes by law.

and have treble coſts.

A publick act.

XXXIV. And be it further enacted by the authority aforeſaid, That this act ſhall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame.

CHAP. XLI.

An Act for granting unto His Majeſty, His Heirs and Succeſſors, certain Duties therein contained, and for the further Advancement of the Trade of this Kingdom.

Expired 25 Dec. 1779.

WHEREAS it is deemed reaſonable and for the advancement of trade, that all goods and merchandize, the manufacture of this kingdom, to be exported directly from this kingdom to the Britiſh plantations in America, or to the Weſt Indies, or into any of the ſettlements belonging to Great Britain on the coaſt of Africa, ſhould ſtand chargeable with, and pay unto his Majeſty, his heirs and ſucceſſors, duties and taxes to as great an amount, as goods and merchandize of the ſame denomination and quality exported from Great Britain to ſuch places now ſtand chargeable with, whether the ſaid charges be on the importation of the materials, of which the ſaid goods and merchandize are made, or by duties on the exportation of the ſame, or by inland exciſe, not drawn back or compenſated for by bounties: be it enacted by the King's moſt excellent Majeſt, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty fourth day of Auguſt, one thouſand ſeven hundred and ſeventy eight, and until the twenty fifth day of December, one thouſand ſeven hundred and ſeventy nine incluſive, and no longer, there ſhall be raiſed, levied, granted, collected, and paid unto his Majeſty, his heirs and ſucceſſors, upon the exportation of the ſeveral articles following from this kingdom to any of the places aforeſaid, during the time aforeſaid, the ſeveral rates, duties, and impoſitions herein after mentioned, that is to ſay; for every ton of

bar

bar iron the ſum of two pounds ten ſhillings ſterling, and ſo in proportion for any greater or leſſer quantity: and for every ton of ſplit, rolled, plated, or tinned iron, and for every ton of manufactured iron wares, the ſum of three pounds three ſhillings and eleven pence; and ſo in proportion for any greater or leſſer quantity; for and upon every hundred weight of hides, calve ſkins, and kips ſkins, tanned or tawed, and not dreſſed in oil, and of ſheep ſkins, tanned for glovers, or bazil, the ſum of ſix ſhillings one penny and two thirds; and for and upon every hundred weight of hides dreſſed in oil the ſum of one pound one ſhilling and three pence two thirds; and for and upon every hundred weight of ſheep ſkins, tawed, and not tanned or dreſſed in oil, the ſum of five ſhillings and three pence halfpenny; and for and upon every hundred weight of ſheep ſkins, tanned for roans, and not dreſſed in oil, the ſum of ſeven ſhillings and nine pence ten twelfths; and for and upon every hundred weight of ſheep ſkins, dreſſed in oil, the ſum of eleven ſhillings and two pence four twelfths; and for and upon every hundred weight of calves ſkins, dreſſed in oil, the ſum of one pound eight ſhillings and one halfpenny; and for and upon every dozen of vellum the ſum of three ſhillings and three pence; and for and upon every dozen of parchment the ſum of one ſhilling and ſeven pence halfpenny; and for and upon all kid's hair a duty after the rate of one ſhilling for every twenty ſhillings value thereof, as the ſame ſhall be valued on the oath of the exporter, and ſo in proportion for any greater or leſſer quantities which ſhall be exported as aforeſaid; the ſaid ſeveral duties to be in lieu and full ſatisfaction of all duties and cuſtom now payable to his Majeſty upon the exportation of the ſaid ſeveral articles reſpectively; alſo for and upon every hundred weight of ſoap an additional duty of one ſhilling and ſix pence; and for and upon every ton of *lapis calaminaris*, the produce of this kingdom, an additional duty of two ſhilling and two pence; for and upon all lamb ſkins an additional duty after the rate of one ſhilling and ten pence halfpenny for every hundred and twenty ſkins; and for and upon every hundred weight of lamb ſkins, tawed and not tanned or dreſſed in oil, a further additional duty of four ſhillings and two pence halfpenny; and for and upon every hundred weight of lamb ſkins, tanned for glovers, or bazil, a further additional duty of five ſhillings and two thirds of a penny; and for every hundred weight of lamb ſkins dreſſed in oil, a further additional duty of ten ſhillings and one penny and one third of a penny; and for and upon all goat ſkins tawed an additional duty after the rate of eleven ſhillings and eight pence for every one hundred and twenty ſkins; and for and upon every pound weight of goat ſkins tanned with ſumack to reſemble Spaniſh leather an additional duty of four pence and four twelfths of a penny; and for and upon all pelts an additional duty after the rate of two ſhillings and nine pence four twelfths for every hundred pelts; and for and upon all pieces or parts of ſkins tawed or tanned, and not dreſſed in oil, a duty after the rate of two ſhillings for every twenty ſhillings value thereof; and for and upon all pieces or parts of ſkins, dreſſed in oil, a duty after the rate of one ſhilling value thereof; and for and upon every hundred weight of pieces or parts of ſkins dreſſed in oil a further duty of ſix ſhillings and two pence two thirds; and for and upon every pound weight of grey rabbit fur or coney hair, an additional duty of one penny and nine twentieths; and for and upon all black coney ſkins with or without ſilver hair an additional duty after the rate of one ſhilling and ſix pence eight twentieths for every hundred and twenty ſkins.

II. And for the better avoiding all doubts and controverſies concerning the ſeveral kind of hides and ſkins, and pieces of hides and ſkins, chargeable by this act, be it further enacted by the authority aforeſaid, That by tanned hides or ſkins, or by tanned pieces of hides or ſkins, are meant only ſuch, as are tanned in wooſe, made of the bark of trees or ſumack, or whereof the principal ingredients ſhall

A. D. 1777-8. Chap. 41.

be such bark or sumack; and that by hides and skins dressed in oil, or pieces of hides and skins dressed in oil, are meant such, as are made into leather in oil, or with any liquor or materials whereof the chiefest ingredients shall be oil; and that by tawed hides or skins, or by tawed pieces of hides or skins, are meant such, as are dressed or made into leather in allum and salt or meal, or other ingredients properly used by the tawers of white leather.

III. And whereas the duties payable upon the exportation of iron, iron ware, hides, calves skins, kip skins, sheep skins, vellum, parchment, and kids hair, in lieu whereof the duties herein before mentioned are imposed by this act, do now constitute a part of his Majesty's hereditary revenue: be it enacted by the authority aforesaid, That so much of the produce of the several rates, duties, and impositions, to be raised, levied, granted, collected, and paid unto his Majesty, his heirs and successors, by virtue of this act upon the said last mentioned articles, as the duties now payable thereon would have amounted to, in case they had continued to be levied upon the exportation of said articles, shall be placed to the account of his Majesty's hereditary revenue; and that a separate and distinct account be kept by the proper officers of such amount upon all and every the aforesaid articles, which shall be so exported.

IV. And be it further enacted by the authority aforesaid, That all and every the several and respective duties, rates, and impositions hereby granted, shall be raised, answered, collected, and paid unto his Majesty, his heirs and successors, during the term aforesaid, at the same time, in the manner, and by such ways, means, and methods, and by such rules and directions, and under such penalties and forfeitures, and with such powers, as are appointed, directed, and expressed for the raising, answering, collecting, and paying of the duties in and by an act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the second, entitled, *An act for settling of the excise or new impost upon his Majesty, his heirs and successors, according to the book of rates therein inserted*, or by any other law now in force relating to the revenue of excise in this kingdom, as fully and effectually to all intents and purposes, as if the same were particularly mentioned, expressed, and enacted again in the body of this present act, with like remedy of appeal to and for the party grieved, as in and by the said act of excise, or any other law or laws now in being relating to the duties of excise, is provided.

V. And be it further enacted by the authority aforesaid, That the six pence per pound, and all other fees which shall or may be payable to the vice treasurer or vice treasurers, paymaster or receiver general of this kingdom, upon issuing or payment of any sum or sums, which shall or may arise out of the aids herein before particularly mentioned, shall be received by the said vice treasurer or vice treasurers, receiver or paymaster general, for the use of his Majesty, his heirs and successors, during the time aforesaid, and shall be duly accounted for by him or them to his Majesty, his heirs and successors, as a further additional aid hereby given and granted for the further support of his Majesty's government.

A. D. 1777-8.

CHAP. XLII.

An Act for the Advancement of the Trade of this Kingdom.

WHEREAS it is deemed reaſonable and for the advancement of trade and encouragement of manufacture, that all goods and merchandize, the product or manufacture of this kingdom, which may by law be exported directly from this kingdom to any of the Britiſh plantations in America or the Weſt Indies, or into any of the ſettlements belonging to Great Britain on the coaſt of Africa, ſhould ſtand chargeable with and pay duties to the ſame amount, and no more, and be exported thither upon the ſame terms in reſpect of duties, as goods and merchandize of the ſame denomination and quality, the product or manufacture of Great Britain, exported thence to any of the ſaid places, are now ſubject to or ſtand chargeable with, except as is herein after excepted: and whereas no ſubſidy or duty is now payable in Great Britain on any goods or merchandize, the product or manufacture of Great Britain, upon their being exported thence to any of the ſaid places, except upon allum, lead, lead ore, tin, leather tanned, copperas, coals, wool cards, white woollen cloths, *lapis calaminaris*, ſkins of all ſorts, glew, coney hair or wool, hare's wool, hair of all ſorts, horſes, and litharge of lead: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty fourth day of Auguſt, one thouſand ſeven hundred and ſeventy eight, and until the twenty fifth day of December, one thouſand ſeven hundred and ſeventy nine inclusive, the ſeveral and reſpective cuſtoms, ſubſidies, and all other duties whatſoever, payable to his Majeſty, his heirs and ſucceſſors, by any law now in force upon the exportation of any goods or merchandizes, the product or manufacture of this kingdom, ſhall ceaſe, determine, and be no longer due or payable for ſo much of the ſaid goods and merchandizes, as ſhall during ſaid time be exported directly from this kingdom to any of the Britiſh plantations in America or the Weſt Indies, or any of the ſettlements belonging to Great Britain on the coaſt of Africa, except the ſeveral goods and merchandizes of the ſame denomination and quality as thoſe herein before mentioned, whereon the ſubſidy, or duty payable in Great Britain upon their export thence to any of the ſaid places, is ſtill payable; that is to ſay, allum, lead, lead ore, tin, leather tanned, copperas, coals, wool cards, white woollen cloths, *lapis calaminaris*, ſkins of all ſorts, glew, coney hair or wool, hare's wool, hair of all ſorts, horſes, and litharge of lead, and alſo except amber greaſe, aſhes, bacon, beef, bones not manufactured, candles, butter, live cattle of all ſorts, cheeſe, dye ſtuff of all ſorts, furs of all kinds, greaves, greaſe, guts, hog's lard, hoops, hops, horns, or tips of horns not manufactured, kelp, linen rags and ſhreds, linen yarn, oker, oars of all ſorts, pork, proviſions of all ſorts, except fiſh, corn, meal, malt, flour and grain of all ſorts, when the prices thereof exceed thoſe, on or below which a bounty is payable on export by any law or laws now in force in this kingdom, rape cakes, ſhreds or points of leather, ſoap, ſoaper's waſte, ſtaves, tallow, tongues, tin unwrought, weld, wax, and woad.

II. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons during the time aforeſaid to export out of any port in this kingdom to any of the ſaid places all ſuch goods and merchandize, the product or manufacture of this kingdom, as may now be lawfully exported thereto, without paying any ſubſidy or other duty whatſoever, other than for the goods or merchandize herein before particularly enumerated and excepted; ſo as due entry be firſt made thereof at the cuſtom-houſe of the port, where the ſame ſhall be exported, in the ſame manner, and expreſſing the quantities and qualities of the reſpective goods, as was uſed and practiſed in reſpect of any goods exported before the making of this act; and ſo as the ſame be ſhipped by the proper officer for that

A. D. 1777-8. Chap. 42.

purpoſe; and ſo as the exporter do firſt make oath before the cuſtomer, comptroller, or collector of ſuch port (which oath he is hereby impowered and required to adminiſter) that the ſaid goods are of Iriſh manufacture or product, and do alſo give ſufficient ſecurity by bond in a penalty of the value of the goods to ſuch collector, comptroller, or cuſtomer (which ſecurity any ſuch officer is hereby impowered to take in the name and to the uſe of his Majeſty, his heirs and ſucceſſors) conditioned that the ſaid goods ſhall be landed in one of the Britiſh plantations in America or the Weſt Indies, or one of the ſettlements belonging to Great Britain on the coaſt of Africa, danger of the ſeas and capture by an enemy only excepted; and upon certificate being brought to ſuch officer within eighteen months under the hand of the proper officer or officers of his Majeſty's cuſtoms at the port where the ſame ſhall be landed in the Britiſh plantations in America, or the Weſt Indies, or in any ſettlement belonging to Great Britain on the coaſt of Africa, or under the hands and ſeals of two known merchants then being at ſuch port, or of the governor or perſon preſiding at ſuch ſettlement, importing that ſuch goods or merchandizes were there landed, and teſtifying the landing thereof, or upon proof upon oath, (to be adminiſtered as aforeſaid) by one credible witneſs, that ſuch goods were there landed, or periſhed at ſea, or were taken by the enemy, (the examination and proof thereof being left to the collector or other officer,) the ſaid bond ſhall be delivered to the exporter, or his or her order, to be cancelled without fee or reward; and on failure of any of the ſaid requiſites the ſaid goods ſhall be liable to the payment of ſaid duties, as if this act had not been made.

III. And whereas ſeveral allowances are given in Great Britain upon the exportation thence to any of the ſaid places of Britiſh manufactures, particularly thoſe made of ſilk, or ſilk mixed, in the nature of a drawback of or compenſation for the high duties payable there on the importation of raw and thrown ſilk: and whereas high duties are likewiſe payable in this kingdom upon the importation of raw and thrown ſilk, and it ſeems juſt and reaſonable, that allowances of the ſame nature ſhould be likewiſe given upon the exportation from hence to any of the ſaid places of any manufacture made in this kingdom of ſilk, or ſilk mixed with any other material than wool or cotton, bearing ſuch proportion to the allowances given in Great Britain upon the like articles as the duties upon the importation of raw and thrown ſilk here bear to the duties payable in Great Britain upon the importation of raw and thrown ſilk there: be it enacted by the authority aforeſaid, That the ſeveral and reſpective allowances or ſums of money hereafter in this act expreſſed ſhall be paid to any perſon or perſons, who at any time or times between the ſaid twenty fourth day of Auguſt, one thouſand ſeven hundred and ſeventy eight, and the twenty fifth day of December, one thouſand ſeven hundred and ſeventy nine, ſhall really and truly export out of this kingdom to any of the places aforeſaid by way of merchandize any of the goods or commodities of the manufacture of this kingdom herein after particularly ſpecified, and ſo in proportion for any greater or leſs quantity, (that is to ſay) for all ribbands and ſtuffs made in Ireland of ſilk only, exported as aforeſaid, the ſum of one ſhilling and ſeven pence for every pound weight avoirdupoiſe; for all ſilks and ribbands made in Ireland of ſilk mixed with gold or ſilver, and exported as aforeſaid, the ſum of two ſhillings and three half pence for every pound weight avoirdupoiſe; for all ſilk ſtockings, ſilk gloves, ſilk fringes, ſilk laces, ſtitching or ſewing ſilk, made in Ireland, and exported as aforeſaid, the ſum of eight pence for every pound weight avoirdupoiſe; for all ſtuffs made in Ireland of ſilk mixed with any other material than wool or cotton, and exported as aforeſaid, the ſum of ſix pence farthing for every pound weight avoirdupoiſe; for all wrought or manufactured gold or ſilver plate made in Ireland, and exported as aforeſaid, the ſum of ſix pence for every ounce troy weight: which ſeveral and reſpective allowances or ſums of money for each ſpecies of ſilk manufacture, or manufacture of ſilk mixed and wrought, or manufactured gold or ſilver thread, ſhall be paid and anſwered by the collector or officer of the port, from whence the ſame ſhall be exported, upon demand without taking fee or reward for the ſame, on oath being made by the exporter before ſuch collector or other officer of the port, (which oath he is hereby impowered and required

quired to adminiſter) that the ſaid goods are of Iriſh manufacture, and exported or intended to be exported to ſome of the Britiſh plantations in America, or the Weſt-Indies, or into ſome of the ſettlements belonging to Great Britain on the coaſt of Africa, and not relanded or intended to be relanded in any part of Ireland, and on the exporter likewiſe giving ſufficient ſecurity to the ſaid collector or other officer of the port, (which ſecurity any ſuch officer is hereby impowered to take in the name and to the uſe of his Majeſty, his heirs and ſucceſſors) by bond in a penalty of the value of the goods, conditioned that the ſaid goods ſhall not be relanded or brought on ſhore again, but ſhall be landed in ſome of the Britiſh plantations in America, or the Weſt Indies, or on the ſettlements belonging to Great Britain on the coaſt of Africa, danger of the ſeas and capture by an enemy only excepted, and upon a like certificate, as is herein before mentioned, being delivered to the collector, or upon ſuch proof being made before the collector or other officer as is herein before provided, every ſuch bond ſhall be delivered to the exporter, or his or her order, to be cancelled without fee or reward.

IV. And be it further enacted by the authority aforeſaid, That the ſaid ſeveral and reſpective allowances upon ſilk manufacture and manufacture of ſilk mixed, ſhall and may be paid by the collector or other officer of the port out of any monies in his hands at the time, ariſing out of any of the cuſtoms, exciſe, or additional duties granted to his Majeſty, and not appropriated; and the money ſo paid ſhall be accepted of in his account as ſo much paid to his Majeſty, and he is and ſhall be diſcharged thereof accordingly; and the ſaid allowance upon wrought or manufactured gold or ſilver plate ſhall and may be paid by the collector or other officer out of the monies ariſing from the duties granted to his Majeſty for the uſe of the corporation for promoting and carrying on the inland navigation of Ireland, and ſhall be accounted for and charged as paid for and on account of the ſaid corporation

V. And for the better preventing frauds on the entering any of ſaid goods under a wrong denomination to the prejudice of the revenue, be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any ſearcher or other proper officer of the cuſtoms after the entry of any of the ſaid goods, and before or after the ſhipping thereof, to open and ſtrictly examine every bale, truſs, cheſt, or other package, to ſee if the goods are right entered; and if on ſuch examination the goods ſhall be found to be right entered, the officer ſhall at his charge cauſe the ſame to be repacked to the ſatisfaction of the exporter; which charge ſhall be allowed to the ſaid officer by the commiſſioners of the revenue, if they ſhall think it reaſonable; but in caſe the ſaid officer ſhall find the ſaid goods, or any part thereof, to have been entered under a wrong denomination, or otherwiſe wrongfully entered, whereby his Majeſty would have been defrauded in the allowance to be paid on the exportation of ſuch goods, contrary to the true intent and meaning hereof, all ſuch goods ſo wrong entered ſhall and may be ſeized, and the ſame, as likewiſe the value thereof, ſhall be forfeited and loſt, and ſhall and may be proſecuted, ſued for, levied, and applied in ſuch manner and form, and by ſuch ways and means, as are preſcribed and appointed for the recovery of penalties in and by an act paſſed in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other act or acts now in force in this kingdom.

VI. Provided always, That the ſaid allowances ſhall not be demanded or made for any of the ſaid manufactures of ſilk mixed with gold and ſilver, where they are only ſo mixed at the edges or ends of the pieces; nor for any of the ſaid manufactures of ſilk mixed with other materials, unleſs two thirds at leaſt of the ends or threads of the warp, (by which is meant the length of the piece) be either all ſilk, or mixed or twiſted with ſilk in the warp, ſo as that ſuch ſilk ſhall be obvious and apparent to the view of the officer of the cuſtoms, or unleſs the ſilk therein uſed ſhall be double the value at leaſt of the allowance intended to be obtained upon the exportation thereof; and if any diſpute ſhall ariſe concerning any of the ſaid manufac-

A. D. 1777-8. Chap. 42.

tures, that is to ſay, whether the ſame was made in Ireland, or touching the quality of the goods, the *onus probandi* ſhall lie on the exporter, claimer, or owner thereof, and not on the officer.

VII. And further to prevent frauds be it enacted by the authority aforeſaid, That if any of the ſaid ſtuffs or manufactures ſhipped to be exported, and for which an allowance is hereby made and ſhall have been paid, ſhall be relanded or unſhipped in any part of Ireland, unleſs it be in caſe of diſtreſs to ſave the goods from periſhing, in which caſe they ſhall be reſhipped, or the allowance repaid, the ſaid goods, over and above the penalty of the bond, and alſo of treble the value of the ſaid goods, ſhall be forfeited, and they together with the ſaid penalties ſhall or may be ſued for, recovered, and applied in manner herein before mentioned for the recovery of the forfeiture aforementioned.

VIII. And whereas it is juſt and reaſonable, that ſeveral goods and merchandizes of the product or manufacture of Great Britain, and alſo the ſeveral foreign certificate goods which may be legally imported thence, ſhould upon exportation hence draw back the whole of the duties paid upon their importation: be it enacted by the authority aforeſaid, That if any goods or commodities of the growth, produce, or manufacture of Great Britain, which have been or ſhall be legally imported thence, (wool and woollen manufacture in all its branches and glaſs excepted) or if any foreign certificate goods, which have been or ſhall be legally imported from Great Britain into this kingdom, ſhall, after payment of the duties charged and payable upon the importation thereof, be again exported to any of the Britiſh plantations in America, or the Weſt Indies, or into any of the ſettlements belonging to Great Britain on the coaſt of Africa, by any merchant or merchants who is or are a ſubject or ſubjects of this realm, or any other part of his Majeſty's dominions, within twenty four calendar months, or by any merchant ſtranger within twelve calendar months, after the importation thereof, and if due proof be made by certificate from the proper officer of the due entry and payment of the ſaid duties, and that all other requiſites have been performed, which are by law required in thoſe caſes, where the moiety of the ſubſidy inwards is to be repaid by virtue of an act paſſed in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tonnage, and other ſums of money unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to a book of rates hereunto annexed*; and where the duties of import exciſe are to be repaid by virtue of the ſaid act paſſed in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs or ſucceſſors, according to the book of rates therein inſerted*; that then the whole of the ſubſidy inwards, and the whole of the duties of import exciſe, and all other duties paid upon the importation thereof, ſhall without delay or reward be repaid and allowed to ſuch merchant or merchants, ſo exporting the ſame to any of the ſaid places during the time aforeſaid within one month after demand thereof; and if any diſpute ſhall ariſe concerning any of the ſaid goods or merchandize, whether they be of the growth, produce, or manufacture of Great Britain, the *onus probandi* ſhall be on the exporter or perſon claiming the drawback.

IX. And be it enacted by the authority aforeſaid, That the proper officer or officers ſhall keep a ſeparate and diſtinct account of the ſeveral drawbacks and allowances given by this act, and alſo of the ſeveral duties that would have been payable on the exportation of ſuch articles, in caſe the ſeveral duties now payable thereon, and which are hereby enacted to ceaſe and determine, had continued, in order that compenſation may be made to his Majeſty's hereditary revenue for any loſs, it may ſuſtain by means of the drawbacks propoſed to be given, or allowances to be made, or duties to be taken off by this act, upon any exports from this kingdom to the Britiſh plantations in America or the Weſt Indies, or into any of the ſettlements belonging to Great Britain on the coaſt of Africa.

CHAP.

A. D. 1777-8.

CHAP. XLIII.

An Act for improving the Police of the City of Dublin.

WHEREAS the proviſions hitherto made have proved inſufficient for and inadequate to the protection and ſafety of the perſons, habitations, and property of the inhabitants of the city of Dublin and the ſuburbs thereof, againſt robbers, thieves, rioters, and other diſturbers of the peace, and therefore ſome further regulations are neceſſary in that behalf: for remedy thereof be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty ninth day of September, one thouſand ſeven hundred and ſeventy eight, each and every of the pariſhes within the ſaid city and ſuburbs ſhall for the purpoſes of this act only, and no other, be conſidered as and ſhall be a diſtinct ward; and the lord mayor and board of aldermen of ſaid city ſhall from time to time nominate and appoint ſome one of the aldermen of the ſaid city to be alderman of the ſaid ward, and as ſuch to have the ſpecial ſuperintendance and care of and to be the preſident or guardian of the police of each of the ſaid reſpective wards, during the pleaſure of the ſaid lord mayor and board of aldermen, without any diminution or infringement however of their or any of their general power, authority, and juriſdiction over the reſt of the ſaid city; and every ſuch alderman, preſident, or guardian of the police in each reſpective ward, ſhall have full power and authority to nominate and appoint ſome one perſon of the common council of the ſaid city, and a reſident in and inhabitant of the ſaid reſpective ward, to be and act in the ſaid ward as aſſiſtant or deputy to the ſaid preſident during the pleaſure of ſuch preſident; and ſuch deputy ſo appointed ſhall in the abſence of his ſaid principal have all and every of the miniſterial powers, privileges, and authorities of his ſaid principal within the bounds of each reſpective ward, for which he ſhall be ſo appointed deputy.

Repealed 26 G. 3. c. 24.

II. Provided always, That no perſon ſhall be capable of being or acting as ſuch deputy, until he be firſt approved of as ſuch by the lord mayor and board of aldermen, or the majority of the ſaid board, and until ſuch deputy ſhall previouſly make oath before the lord mayor for the time being, that he the ſaid deputy is then

A. D. 1777-8. Chap. 43.

poſſeſſed of and entitled unto a real or perſonal eſtate of the value of eight hundred pounds, over and above what may be ſufficient to ſatisfy and diſcharge all his juſt debts.

III. And provided alſo, That no perſon ſhall be capable of being or acting as ſuch deputy any longer, than whilſt he remains one of the common council of the ſaid city, and a reſident in and inhabitant of the ſaid reſpective ward, for which he ſhall be ſo appointed deputy.

IV. And be it further enacted by the authority aforeſaid, That the inhabitants of each and every of the ſaid wards ſhall yearly and every year at a veſtry, to be appointed and held for that purpoſe, chooſe a certain number of the inhabitants of the ſaid ward paying ſcot and lot, not leſs than ſix nor more in number than twelve, to be the repreſentatives of the ſaid ward, in a wardmote court, and which wardmote court the ſaid alderman or his deputy, and the ſaid inhabitants ſo choſen, ſhall have power to hold for the year then next enſuing; and the ſaid preſident or his deputy ſhall and may from time to time, as occaſion may require, ſummon and call together the ſaid repreſentatives of the ſaid ward to hold a wardmote court or aſſembly, in which the ſaid preſident or his deputy ſhall be chairman, and in all caſes of equality of voices amongſt the other members ſhall have a caſting voice; and ſaid wardmote court ſhall have power from time to time to make and eſtabliſh ſuch reaſonable rules, orders, and regulations, with reſpect to the police of the ſaid ward, and the preſervation of the peace therein, as to them or the majority of them ſhall ſeem fit, and from time to time to alter, amend, or repeal the ſame; and the ſaid wardmote court ſhall have power to chooſe and appoint from time to time ſuch a number of perſons, as they ſhall judge requiſite, to act as conſtables or inferior peace officers in ſaid reſpective ward, and alſo to chooſe and appoint ſuch a number of perſons, as they ſhall judge requiſite, from time to time to be watchmen, guards, or patroles of the ſaid reſpective wards from ſun ſet to ſun riſe, and to have the ſame properly cloathed and armed in a manner ſuitable to the occaſion, and to make ſuch rules, orders, and directions, as they ſhall from time to time think requiſite, for the better and more effectual preſervation of the peace in ſaid ward, and from time to time to remove any of their ſaid conſtables, peace officers, watchmen, guards, or patroles, and appoint others in their room, at their will and pleaſure: and the ſaid preſident, his deputy and the ſaid conſtables, inferior peace officers, watchmen, guards,

and

and patroles, and each of them, ſhall have full power and authority to ſeize, arreſt, and detain all robbers, thieves, rioters, drunken and diſorderly perſons, and other offenders againſt the peace, whom they ſhall find within the bounds of their reſpective wards, or ſhall purſue from thence into any other ward, and to carry the ſame before the preſident of the ſaid ward or his deputy, or before any other magiſtrate of the ſaid city, to be dealt with according to law; and for that purpoſe to enter into and ſearch for and ſeize ſuch perſon or perſons, or thoſe whom they ſhall reaſonably ſuſpect ſo to be, in all or any houſe or houſes within their reſpective wards, where ale, beer, porter, or ſpirituous liquors of any kind ſhall be ſold by retail, and which ſhall be kept open for the reception or entertainment of ſuch, as reſort thereto, from the hour of ten o'clock at night to the hour of ſix o'clock in the next morning, whether the ſaid houſe be licenſed or unlicenſed.

V. And whereas the number of unlicenſed and diſorderly houſes ſelling ale, beer, ſtrong and ſpirituous liquors, now exiſting in the ſeveral pariſhes within the city of Dublin and the ſuburbs thereof, have greatly contributed to the robberies, riots, and diſorders, which have been committed and have happened within the ſaid city and ſuburbs, and the ſuffering houſes ſelling ale, beer, or ſtrong and ſpirituous liquors, whether licenſed or not, to be kept open for the reception or entertainment of ſuch as reſort thereto at late and unſeaſonable hours tends greatly to diſturb the peace and good order of the ſaid city and ſuburbs, as ſuch houſes are found to harbour idle and diſorderly perſons: for remedy thereof, be it further enacted by the authority aforeſaid, That the magiſtrate and alderman of each ward, or his deputy, with the guards and patroles, ſhall and may enter into and ſearch all ſuch houſes, and for that purpoſe, if need be, to break open any door or doors, if not opened upon demand and requeſt for that purpoſe, and apprehend all perſons found therein, whom they ſhall have reaſonable cauſe to ſuſpect are robbers, thieves, or looſe, idle, or diſorderly perſons, and ſhut up or cauſe to be ſhut up ſuch houſes, and arreſt the keepers of ſuch houſes, to the end that they may be proſecuted for keeping diſorderly houſes or otherwiſe, as the caſe may warrant, at the expence of the ward.

VI. And be it enacted by the authority aforeſaid, That this act ſhall be taken to be a publick one, and to be taken notice of as ſuch by all judges and courts whatſoever.

A. D. 1777-8.

CHAP. XLIV.

An Act to enable the Chief Juſtice, or other Juſtice of His Majeſty's Court of King's Bench, or the Chief Juſtice, or other Juſtice of His Majeſty's Court of Common Pleas, in the Abſence of the Lord Chief Baron of the Court of Exchequer to ſwear the Lord Mayor of the City of Dublin into his Office.

On L. C. baron's abſence, L. mayor ſworn before a judge of B. R. or C. B.

BE it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That at all times hereafter, when the lord chief baron of the court of exchequer of this kingdom ſhall be abſent from the city of Dublin, it ſhall be lawful for the lord mayor of the ſaid city to take the oath or oaths of office before the chief juſtice or other juſtice of his Majeſty's court of King's bench, or before the chief juſtice or other juſtice of his Majeſty's court of common pleas, in this kingdom, who are hereby empowered and required to adminiſter the ſaid oath or oaths; and that the ſaid lord mayor, who ſhall be ſo ſworn as aforeſaid, ſhall and is hereby declared to be as effectually inſtated in his office, and ſhall take upon him the execution thereof, in the ſame manner as if he had actually been ſworn before the ſaid lord chief baron, any law or ſtatute to the contrary notwithſtanding.

CHAP. XLV.

An Act for the Amendment of the Law, with Reſpect to Outlawries, returning Special Juries, and the future Effects of Bankrupts in certain Caſes.

Outlawry.

WHEREAS great delay of juſtice hath of late years been occaſioned by returning perſons, who ſtand outlawed in civil caſes, on grand juries: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty ninth day of September, which will be in the year of our lord one thouſand ſeven hundred and ſeventy eight, no plea of the outlawry of a grand juror in any civil caſe ſhall be received in avoidance of any act or acts to be had or done by any grand jury whatſoever.

No plea of outlawry of grand juror in civil caſe received in avoidance of acts of grand jury.

Nor of plaintiff ſhall have any effect, unleſs conſent of attorney general, and the party at whoſe ſuit obtained, lodged with ſuch plea, and verifying by affidavit, conſents filed.

II. And be it further enacted by the authority aforeſaid, that from and after the day aforeſaid no plea of the outlawry of any plaintiff in any civil caſe ſhall have any effect, or be received as a plea in bar or abatement or otherwiſe, in any court of law or equity within this kingdom, unleſs the party, who pleads the ſame, ſhall previouſly obtain and lodge with ſuch plea at the time of filing thereof the conſent of his Majeſty's attorney general, and the conſent of the party at whoſe ſuit ſuch outlawry was obtained, in writing, to the pleading of ſuch outlawry, together with an affidavit verifying the truth of ſuch plea; which conſents the proper officer is hereby required to file in his office without fee or reward.

Juries.

Juries ſtruck in courts of law on trial of iſſue (except indictments, or information &c.) as ſpecial juries on trials at bar.

III. And whereas ſome doubts have been conceived touching the power of his Majeſty's courts of law at Dublin to appoint juries to be ſtruck before the Maſter of the office of prothonatories, or other proper officer of ſuch reſpective courts, for the trials of iſſues depending in ſaid court, without the conſent of the parties concerned in ſuch ſuits, unleſs ſuch iſſues are to be tried at the bar of the ſame courts: be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for his Majeſty's court of king's bench, common pleas, and exchequer reſpectively upon motion, made by council on behalf of any plaintiff or plaintiffs, defendant or defendants, in any action, cauſe, or ſuit whatſoever depending or to be brought or carried on in the ſaid courts, or any of them (except indictments, informations for miſdemeanours, or informations in the nature of *Quo Warranto*) to order and appoint juries to be ſtruck before the proper officer of each reſpective court for the trial of any iſſue joined in any of the ſaid caſes, (and triable by a jury of twelve men,) in ſuch manner as ſpecial juries have been and are uſually ſtruck in ſuch courts reſpectively upon trials at bar to be had in the ſame courts.

Summoned 6 days before aſſiſes or ſittings.

IV. And be it enacted by the authority aforeſaid, that the ſaid jury ſo ſtruck as aforeſaid ſhall be the jury returned for the trial of ſaid iſſue, and ſhall be ſummoned by the ſheriff or other officer appointed to return the ſame at leaſt ſix days before the aſſizes or ſittings, at which ſuch iſſue is to be tried.

Fees paid by party applying, and not taxed.

V. And be it further enacted by the authority aforeſaid, that the perſon or party, who ſhall apply for ſuch jury to be ſtruck as aforeſaid, ſhall bear and pay the fees for ſtriking ſuch jury, and ſhall not have any allowance for the ſame upon taxation of coſts.

A. D. 1777-8. Chap. 45.

Sheriffs in cities or towns, on order for ſpecial jury ordered to bring before the officer liſts of perſons qualified to ſerve as the grand pannel for trials at bar in counties at large,

jury ſtruck out of ſuch liſt.

VI. And be it enacted by the authority aforeſaid, that where any ſpecial jury ſhall be ordered by rule of any of the ſaid courts to be ſtruck by the proper officer of ſuch court in the manner aforeſaid in any cauſe, ariſing in any city or county of a city or town, the ſheriff or ſheriffs of ſuch city, or county of city or town, ſhall be ordered by ſuch rule to bring, or cauſe to be brought, before the ſaid officer the books or liſts of perſons qualified to ſerve on juries within the ſame, out of which juries ought to be returned by ſuch ſheriff or ſheriffs, in like manner as the grand pannell hath been uſually ordered to be brought in order to the ſtriking of juries for trial at bar in cauſes ariſing in counties at large; and in every ſuch caſe the jury ſhall be taken and ſtruck out of ſuch book or liſt reſpectively.

Not ſummoning by writing, every perſon ſtruck or returned 6 days before, fined not above 50l. nor under 10l.

fine eſtreated.

VII. And be it enacted by the authority aforeſaid, that if the ſheriff or ſheriffs, or ſuch other officer as ſhall be appointed to return ſuch jury as aforeſaid, ſhall omit or neglect to ſummon, or cauſe to be ſummoned, by a note in writing every perſon, ſo ſtruck or returned as aforeſaid, at leaſt ſix days before the aſſizes or ſittings whereat ſuch iſſue is to be tried, he ſhall forfeit ſuch fine, not exceeding fifty pounds and not leſs than ten pounds, as the judge, before whom ſuch iſſues to be tried, ſhall think reaſonable, for every ſuch offence, and that the ſaid judge ſhall eſtreat ſuch fines.

Not appearing, called 3 times, and oath of ſummons 6 days before, unleſs cauſe on oath, fined not above 20l. nor under 5l.

eſtreated,

VIII. And be it enacted by the authority aforeſaid, that every perſon ſo returned as aforeſaid, who ſhall not appear after being openly called three times, ſhall, upon oath made by ſome credible perſon that ſuch perſon had been ſummoned by a note in writing ſix days at leaſt before the aſſizes or ſittings, forfeit for ſuch default in not appearing, unleſs ſome reaſonable cauſe of his abſence be proved by oath to the ſatisfaction of the ſaid judge or juſtices, ſuch fine, not exceeding twenty pounds and not leſs than five pounds, as the ſaid judge ſhall think reaſonable, and that the ſaid judges ſhall eſtreat the ſame.

On default of jurors tales ordered,

IX. And be it enacted by the authority aforeſaid, that in every cauſe, wherein a ſpecial jury ſhall be awarded by virtue of this act, and that a full jury ſhall not appear before the judge or juſtices, before whom ſuch iſſue is to be tried, or after appearance of a full jury by challenge of any of the parties the iſſue is like to remain untried for default of jurors, that the ſaid judge or juſtices upon requeſt made by the plaintiff or defendant ſhall have authority by virtue of this act to command the ſheriff or other officer or officers, to whom the making of the ſaid return ſhall belong, to name and appoint, as often

as

as need ſhall be, twelve ſuch other able perſons of the ſaid county then preſent, to whom no cauſe of challenge doth lie, and that the names of the perſons ſo to be named with their additions and places of abode ſhall be written on ſeveral diſtinct pieces of parchment or paper, being all as near as may be equal ſize, and ſhall be delivered to the clerk of the judge, before whom ſuch iſſue is to be tried, by the ſheriff or other officer to whom the returning of ſuch jury doth belong, and ſhall by the direction and care of ſuch clerk be rolled up all, as near as may be in the ſame manner, and put together in a box or glaſs, and that ſome indifferent perſon by direction of the court in open court ſhall draw out ſaid parchments or papers one after another, until a number ſhall appear ſufficient with thoſe of the original pannell, who appear, to make up the number of twelve, who ſhall be the jury to try the ſaid iſſue.

drawn by ballot till a ſufficient number with the original pannel appearing.

X. And be it enacted by the authority aforeſaid, that every trial, had by ſuch jury as aforeſaid, ſhall be as good and effectual in the law to all intents and purpoſes, as if ſuch trial had been had and tried by twelve of the jurors originally ſtruck, and appointed to try the ſaid iſſue; and that all ſuch perſon or perſons, as ſhall be named and appointed as aforeſaid by the ſheriff or other returning officer, ſhall after ſuch nomination and appointment in every reſpect be conſidered, as if they had been returned upon the original pannell ſtruck to try the ſaid iſſue.

Valid as if tried by 12 originally ſtruck.

Bankrupts.

IX. And whereas by the laws now in being the property which a bankrupt ſhall acquire or become intitled to after the time of his having become a bankrupt, and having obtained his certificate, is not ſubject to the debts contracted by him prior to the time of his having become a bankrupt: be it enacted by the authority aforeſaid, that whenſoever any perſon, who had at any time before been a bankrupt, and obtained his certificate, ſhall again become a bankrupt, and ſhall not have effects ſufficient to ſatisfy the demands of his creditors, that in every ſuch caſe the property, which ſhall come to or be acquired by ſuch bankrupt after the time of his having become a ſecond time a bankrupt, ſhall be ſubject to all ſuch debts, as ſhall have been contracted by him after the time of his having firſt become a bankrupt.

Property acquired after 2d bankruptcy ſubject to debts contracted after firſt becoming bankrupt.

CHAP.

A. D. 1777-8.

CHAP. XLVI.

An act for the further improvement of the city of Dublin in the manner therein mentioned.

WHEREAS it will tend to the improvement of the city of Dublin, and to the opening a new and convenient paſſage from many parts thereof to the circular road, if the archbiſhop of Dublin be empowered to grant a longer leaſe of the plot or parcel of ground herein after mentioned, than by law he is at preſent enabled to do: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the paſſing of this act it ſhall and may be lawful for his grace John lord archbiſhop of Dublin to grant any concurrent or other leaſe or leaſes of that plot or parcel of ground, not exceeding one acre and thirty perches, being part of the farm of ſaint Sepulchres in the county of Dublin, now in the tenure and occupation of the right honourable John Scott, through which a ſtreet, called Harcourt ſtreet, is now laid out, and is intended ſpeedily to be opened, for any term not exceeding forty years from the time of making ſuch leaſe or leaſes, notwithſtanding any leaſe or leaſes then in being; and that it ſhall and may be lawful for the ſaid archbiſhop and his ſucceſſors from time to time to renew the ſame for the like term of forty years.

Archbiſhop of *Dublin* may make concurrent or other leaſes not exceeding 40 years of 1 acre and 30 perches part of St. *Sepulchres*, renewable 40 years.

II. Provided that the rent be reſerved to the ſaid archbiſhop and his ſucceſſors by ſuch leaſe or leaſes, be as ſoon as the ſame ſhall take effect in poſſeſſion not leſs than a rateable proportion of the preſent rent payable out of the whole of the ſaid farm to the ſaid archbiſhop and his predeceſſors for twenty years laſt paſt, any law or ſtatute to the contrary notwithſtanding.

Reſerving rent not leſs than rateable proportion out of the whole for 20 years laſt.

III. Provided alſo that the immediate tenant or tenants firſt deriving under the ſaid archbiſhop ſhall during the ſpace of two months from the time of paſſing this act have the ſole and excluſive power of taking any leaſe by virtue of this act, and that from and after the expiration of the ſaid two months, ſo given to the tenant immediately holding under the ſaid archbiſhop, the tenant next deriving under ſuch immediate tenant for the ſpace of two months immediately following ſhall have the

Tenants ſucceſſively to have for 2 months excluſive powers to take concurrent leaſe.

the like ſole and excluſive power of taking ſuch concurrent leaſe, if the firſt tenant ſhall refuſe or neglect to take the ſame within the ſpace of two months ſo given to him; and if at the end of four months from the paſſing of this act neither the ſaid firſt or ſecond tenant ſhall have taken ſuch concurrent leaſe, that then the third, fourth, and every other tenant ſhall have ſucceſſively the like ſole and excluſive power of taking ſuch concurrent leaſe for the ſpace of two months next after the expiration of the months, given as aforeſaid to the perſon from whom he immediately derives. A. D. 1777-8.

IV. Provided alſo, and be it enacted by the authority aforeſaid, that every leaſe to be made in purſuance of this act to the now immediate tenant of the ſaid archbiſhop, or any perſon deriving from him, or to any of their executors, adminiſtrators, or aſſigns, ſhall be ſubject and liable to the like covenant of renewal to his or their derivative tenants, their executors, adminiſtrators, or aſſigns reſpectively, as the leaſes now in being are ſubject to. Subject to like covenant of renewal to derivative tenants as leaſes now in being.

CHAP. XLVII.

An act for aſcertaining the boundaries of the pariſh of Saint Mary's on the north eaſt ſide thereof, and preventing inconveniencies ariſing from the uncertain ſtate of the ſame, and for aſcertaining the boundaries between the county of the city of Dublin and the county of Dublin in ſome places, where the ſame are uncertain, and thereby preventing perſons guilty of offences therein from eſcaping the puniſhment of the law.

WHEREAS ſeveral diſputes and ſuits at law have ariſen, by reaſon that the boundary of the pariſh of Saint Mary's in the city of Dublin on the north eaſt ſide thereof is not certain or fixed; and two trials have been had, whereupon it appeared, that the ſtreet, called Palace Row, was not included within ſaid pariſh; but ſuch trials are found to be ineffectual for aſcertaining the line of ſaid boundary in every part thereof; whereby it is found extremely difficult, if not impracticable, to applot and levy the pariſh ceſſes and other taxes appointed by act of parliament to be raiſed within ſaid pariſh for the uſes mentioned in ſaid acts; and there is alſo the like uncertainty as to the boundary of the county of the city of Dublin and county of Dublin in ſome places, whereby it is found extremely difficult to execute the ordinary proceſs of the law againſt offenders in caſes, where it is not certain, in which of

A. D. 1777-8. Chap. 47.

the ſaid counties ſaid offences are committed, and ſaid offenders may be found when to be met with, whereby many perſons eſcape puniſhment: and whereas the mode of proceeding for procuring a commiſſion of perambulation in order to have the ſaid boundaries aſcertained on account of the number of perſons, who are neceſſary to be made parties to any ſuit to be commenced for that purpoſe, would be both tedious and expenſive: for affording ſufficient remedy in the premiſſes be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that it ſhall and may be lawful to and for the lord chancellor of Ireland, as ſoon as conveniently may be after paſſing this act, on a petition to be preferred to him in the high court of chancery by the miniſter, church wardens, and pariſhioners of ſaid pariſh, or any twelve or more of ſaid pariſhioners, praying to have the boundary of ſaid pariſh on the north eaſt ſide thereof enquired into and aſcertained, and on a petition to be preferred to him by the grand juries of the county of the city of Dublin and of the county of Dublin, or by either of them, for the time being, praying to have the boundaries between ſaid counties within the places before mentioned enquired into and aſcertained, after notice ſhall have been given in ſuch publick manner, as the lord chancellor ſhall direct, of ſuch petition or of ſuch petition or petitions being preferred, and after hearing what may be ſaid touching the matter of ſaid petitions by the perſons, who may think themſelves affected thereby, or their council, or, in caſe there ſhall not be any ſuch oppoſition, to iſſue a commiſſion of perambulation for aſcertaining the mears and boundaries of ſaid pariſh on the north eaſt ſide thereof, and alſo one or more commiſſion or commiſſions of perambulation, as the ſame may be found neceſſary for aſcertaining the mears and boundaries between the ſaid counties; on which ſuch orders and proceedings ſhall and may be had, as in ſuch caſes are uſual and neceſſary: and after the mears and boundaries of ſaid pariſh on the ſaid north eaſt ſide thereof, and the mears and boundaries between ſaid counties in the places before mentioned, ſhall be aſcertained and ſettled by virtue of ſaid commiſſion and commiſſions, and the proceedings to be had thereon, the ſame reſpectively ſhall be binding and concluſive for the future to all perſons, who now are or who may hereafter be concerned or intereſted in the bounds of the ſaid county, and of the county of the ſaid city, and of the pariſh aforeſaid.

On petition to chancery by pariſhioners of St. *Mary's*, or any 12, and grand juries of city and county of *Dublin*, and notice, and hearing, commiſſion of perambulation to iſſue to aſcertain boundaries,

uſual orders thereon,

concluſive to all intereſted,

II. Provided

II. Provided that the ſtreet called Palace-Row, and alſo the houſe in Granby-Row now inhabited by William Dean, eſquire, on which two trials at law by two ſeveral juries hath been found not to be within ſaid pariſh, ſhall not in virtue of any proceeding on ſaid commiſſion, founded on this act or otherwiſe, be comprehended or taken to be within the ſaid pariſh of ſaint Mary's.

Palace Row and houſe of *W. Deane* not within ſaid pariſh.

III. And be it enacted by the authority aforeſaid, that one third part of the charges of this act, and the expences attending the paſſing the ſame into a law, ſhall at a veſtry, to be held on or before the firſt day of November after paſſing the ſame, be applotted, and afterwards ſhall be levied off the ſeveral inhabitants of ſaid pariſh of ſaint Mary's, rateably and in proportion to the miniſter's money payable by them reſpectively, with like remedy for default in payment thereof as is by law allowed for enforcing payment of ſaid miniſter's money; and that the remaining two thirds of the charges and expences of paſſing this act ſhall at the term next after paſſing the ſame be preſented, one moiety thereof by the grand jury of the county of the city of Dublin, and the other moiety thereof by the grand jury of the county of Dublin, to be raiſed off the inhabitants of each county reſpectively as other grand jury ceſſes uſually are; and that all ſuch ſums of money, as may afterwards be neceſſary for defraying the expences attending the ſaid proceedings in ſaid high court of chancery, and upon ſaid commiſſion or commiſſions reſpecting the boundaries of ſaid counties, ſhall and may be preſented to be raiſed in like manner by the reſpective grand juries of ſaid county of the city of Dublin and county of Dublin.

1-3d of expences applotted at veſtry on the pariſhioners by miniſter's money.

2-3ds and further expences on the counties by reſpective G. Juries.

IV. Provided, that nothing herein contained ſhall empower the ſaid commiſſion or commiſſions of perambulation to extend the ſaid pariſh in the other parts thereof beyond the bounds already ſet forth by law.

Not to extend the pariſh in other parts.

CHAP.

A. D. 1777-8.

CHAP. XLVIII.

An act to exclude traders from the benefit of an act, entitled, An act to prevent frauds committed by bankrupts, *who do not keep regular books of account, and for continuing the ſaid law, and other purpoſes.*

11 & 12 G. 3. c. 8.

WHEREAS it appears, that great frauds have been committed by traders not keeping regular books of account, and that the effect of an act, intitled, *An act to prevent frauds committed by bankrupts*, hath been thereby defeated and rendered of no effect: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of January in the year one thouſand ſeven hundred and ſeventy nine no perſon or perſons, againſt whom a commiſſion of bankrupt ſhall iſſue or be awarded, ſhall be entitled to any benefit of the ſaid act, unleſs it ſhall appear to the major part of the commiſſioners in ſuch commiſſion named, that ſuch perſon or perſons hath or have from the time aforeſaid kept honeſtly and fairly a book or books, in which hath been entered an account of all his or their dealings, bills of exchange drawn, endorſed, or accepted by him or them, of his or their debts and credits, and expences in houſe keeping.

no benefit of ſaid act to a bankrupt, unleſs fair account books kept of all his dealings, bills, debts, and credits, and houſe expences.

II. And be it further enacted by the authority aforeſaid, that unleſs it ſhall appear to the major part of the ſaid commiſſioners, that ſuch perſon or perſons ſhall make out an inventory once in every two years at leaſt in ſuch book or books of all his or their effects moveable and immovable, and of his or their debts and credits, ſpecifying his or their profits and loſſes on the ſame from time to time, that he or they ſhall not be entitled to the benefit of the ſaid recited act.

And inventory once in two years of all effects, debts and credits, profit and loſs.

III. And whereas by an act paſſed in the eleventh and twelfth years of his preſent Majeſty, entitled, *An act to prevent frauds committed by bankrupts*, any trader having privilege of parliament, who ſhall neglect to make ſatisfaction for any juſt debt to the amount of one hundred pounds ſterling or more within two months after ſervice of legal proceſs for ſuch debt, ſhall be deemed and adjudged a bankrupt: be it enacted by the authority aforeſaid, that before any ſuch proceſs as aforeſaid ſhall be ſerved on any trader having privilege of parliament for any ſuch debt as aforeſaid,

Before ſervice of proceſs on privileged trader for debt purſuant to 11 & 12 G. 3. c. 8. the creditor, or a partner, ſhall make and file affidavit of being juſtly due, and a trader within ſaid act.

aforeſaid, an affidavit ſhall be made by the creditor, or in caſe the debt or debts be owing to partners then by one partner, and ſhall be filed on record in ſome one of his Majeſty's courts of record in Dublin, that ſuch debt, for which ſuch proceſs is intended to be ſerved, is juſtly due and owing to him alone or to him and partner or partners, by ſuch perſon ſo intended to be ſerved, and that ſuch debtor, as he or ſhe verily believes, is a trader within the true intent and meaning of ſaid ſtatute relating to bankrupts.

IV. And be it further enacted by the authority aforeſaid, that from and after the paſſing of this act in caſe any trader having ſuch privilege of parliament, and being ſo ſerved with proceſs as aforeſaid, ſhall, within two months after the ſervice of ſuch proceſs on him as aforeſaid, enter into a bond in ſuch ſum, and with two ſuch ſufficient ſureties, as any judge or judges of that court, out of which ſuch proceſs ſhall iſſue, ſhall approve of, to pay ſuch ſum as ſhall be recovered in ſuch action or actions, in which ſuch proceſs ſhall iſſue, together with ſuch coſts as ſhall be given and adjudged in the ſame, then and in ſuch caſe ſuch trader having ſuch privilege of parliament ſhall not be or be accounted and adjudged a bankrupt; and in caſe any commiſſion of bankrupt ſhall iſſue againſt him, then upon ſhewing to the lord chancellor, lord keeper, or the lords commiſſioners of the great ſeal for the time being, that ſuch bond was entered into within due time as aforeſaid, ſuch commiſſion ſhall be ſuperſeded, and the uſual bond given by the perſon ſuing out ſuch commiſſion ſhall be aſſigned to the perſon, againſt whom ſuch commiſſion iſſued, as a ſecurity to him for ſuch damages and coſts as he ſhall or may have ſuſtained thereby; but in caſe ſuch ſatisfaction as aforeſaid ſhall not be made, nor ſuch bond as aforeſaid given within the time reſpectively appointed for that purpoſe, after ſuch affidavit made as aforeſaid, and after ſervice of ſuch proceſs as aforeſaid, then any creditor may ſue out a commiſſion againſt any ſuch perſon, and proceed thereon in like manner as againſt other bankrupts.

If ſuch privileged trader in 2 months after proceſs ſerved give bond and two ſureties, approved by the court, to pay the ſum recovered with coſts, not deemed bankrupt,

and the commiſſion ſuperſeded, and the uſual bond aſſigned to him as ſecurity for his damages and coſts;

otherwiſe creditor may proceed as againſt other bankrupts.

V. And be it further enacted by the authority aforeſaid, that if any merchant, banker, broker, factor, ſcrivener, or trader ſhall after the laſt day of this ſeſſion of parliament commit any act of bankruptcy, that then and in ſuch caſe any creditor or creditors of ſuch perſon, ſo committing ſuch act of bankruptcy, may ſue out a commiſſion of bankrupt againſt ſuch merchant, banker, broker, ſcrivener, or trader, and the commiſſioners in ſuch commiſſion and other perſons may proceed thereon in like

Any creditors of perſon, committing act of bankruptcy after the laſt of this ſeſſion, may ſue out commiſſion, and proceed, privilege notwithſtanding.

A. D. 1777-8.

manner as againſt other bankrupts, any privilege of parliament to the contrary notwithſtanding.

This act and 11 & 12 G. 3. c. 8. continued 2 years, &c. from 24 *June* 1778, *and 2 years from* 24 *June* 1780, *and to end of then next ſeſſion by* 19 & 20 G. 3. *c.* 25. *ſ.* 12.

VI. Provided always, and be it enacted by the authority aforeſaid, that this act, and the ſaid recited act of the eleventh and twelfth years of his preſent Majeſty's reign, and the ſeveral proviſions hereby made, ſhall continue and be in force for the ſpace of two years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, and from thence to the end of the then next ſeſſion of parliament, and no longer.

CHAP. XLIX.

An act for the relief of his Majeſty's ſubjects of this kingdom profeſſing the popiſh religion.

To relax the diſabilities on Roman Catholicks by 2 *Anne* c. 6. and 8 *Anne* c. 3.

WHEREAS by an act made in this kingdom in the ſecond year of her late Majeſty queen Anne, entitled, *An act to prevent the further growth of popery*, and alſo by another act made in the eighth year of her ſaid reign for explaining and amending the ſaid act, the Roman Catholicks of Ireland are made ſubject to ſeveral diſabilities and incapacities therein particularly mentioned: and whereas from their uniform peaceable behaviour for a long ſeries of years it appears reaſonable and expedient to relax the ſame, and it muſt tend not only to the cultivation and improvement of this kingdom, but to the proſperity and ſtrength of all his Majeſty's dominions, that his ſubjects of all denominations ſhould enjoy the bleſſings of our free conſtitution, and ſhould be bound to each other by mutual intereſt and mutual affection: therefore be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of Auguſt one thouſand ſeven hundred and ſeventy eight it ſhall and may be lawful to and for any papiſt, or perſon profeſſing the popiſh religion, ſubject to the proviſoe hereinafter contained as to the taking and ſubſcribing the oath and declaration therein mentioned, to take, hold, and enjoy any leaſe or leaſes for any term or terms of years, not exceeding nine hundred and ninety nine years certain, or for any term of years determinable upon any number of lives, not exceeding five, provided always, that upon every ſuch leaſe a rent *bona fide* to be paid in money ſhall be reſerved and made payable during ſuch terms with or without liberty of committing waſte as fully and beneficially to all

Papiſts, ſubject to proviſo herein, may take leaſes not exceeding 999 years certain, or determinable on lives not exceeding 5.

Rent reſerved *bona fide* in money, with or without waſte,

intents and purpoſes, as any other his Majeſty's ſubjects in this kingdom, and the ſame to diſpoſe of by will or otherwiſe as he ſhall think fit; and all lands, tenements, and hereditaments, whereof any papiſt or perſon profeſſing the popiſh religion is now ſeized or ſhall be ſeized by virtue of a title legally derived by, from, or under ſuch perſon or perſons, now ſeized in fee ſimple or fee tail, whether at law or in equity, ſhall from and after the time aforeſaid be deſcendable, deviſeable, and transferable, as fully, beneficially, and effectually, as if the ſame were in the ſeizin of any other of his Majeſty's ſubjects in this kingdom.

Papiſts may diſpoſed of by will or otherwiſe, lands of papiſts deſcendable, deviſeable, and transferable, as if in ſeizin of any other.

II. And be it further enacted by the authority aforeſaid, that all papiſts or perſons profeſſing the popiſh religion ſhall and may from and after the time aforeſaid be to all intents and purpoſes capable to take, hold, and enjoy all or any ſuch eſtate or eſtates, which ſhall deſcend, or be deviſed, or transferred as aforeſaid, any thing contained in the ſaid acts of the ſecond or eighth of queen Ann, or in any other ſtatute or law, to the contrary in any wiſe notwithſtanding.

May take ſuch eſtates notwithſtanding 2 *Anne* c. 6. 8 *Anne* c. 3. or any other law.

III. Provided, that no papiſt or perſon profeſſing the popiſh religion ſhall take any benefit by this act, unleſs he or ſhe ſhall on or before the firſt day of January one thouſand ſeven hundred and ſeventy nine, or ſome time previous to any ſuch leaſe made to or in truſt for him, if he or ſhe ſhall be in this kingdom, or within ſix months after any deviſe, deſcent, or limitation ſhall take effect in poſſeſſion, if at that time within this kingdom, or if then abroad beyond the ſeas, or under the age of twenty one years, or in priſon, or of unſound mind, or under coverture, then within ſix months after his or her return from abroad, or attaining the age of twenty one years, or diſcharge from priſon, or becoming of ſound mind, or after ſhe ſhall become a *feme ſole*, take and ſubſcribe the oath of allegiance and the declaration preſcribed by an act paſſed in this kingdom in the thirteenth and fourteenth years of his preſent Majeſty's reign, entitled, *An act to enable his Majeſty's ſubjects of whatever perſuaſion to teſtify their allegiance to him in ſome one of his Majeſty's four courts in Dublin, or at the quarter ſeſſions of the peace for the county of Dublin, or before the going judges of aſſize in open court*; which oath the judges preſiding in the ſaid court, the chairman of the ſaid ſeſſions, and the ſaid judges of aſſize, are hereby empowered and required to adminiſter.

No benefit by this act, unleſs by 1ſt *January* 1779, or previous to ſuch leaſe, or 6 months after deviſe, deſcent, or limitation takes effect, if in the kingdom, or after diſability removed, the oath and declaration by 13 & 14 *G.* 3. c. 35. taken in one of the four courts, or ſeſſions for *Dublin*, or judges of aſſize.

IV. And be it enacted by the authority aforeſaid, that the names of ſuch perſons, as ſhall ſo take and ſubſcribe the ſaid oath

Their names, &c. inrolled,

A. D. 1777-8. Chap. 49.

oath and declaration, with their titles and additions, ſhall be entered upon rolls for that purpoſe to be appointed by the ſaid reſpective courts, and that the ſaid rolls once in every year be tranſmitted to and depoſited in the rolls office of this kingdom to remain amongſt the records.

Tranſmitted yearly to Rolls Office.

V. And be it enacted by the authority aforeſaid, that no maintenance or portion ſhall be granted to any child of a popiſh parent, upon a bill filed againſt ſuch parent purſuant to the aforeſaid act of the ſecond of queen Anne, out of the perſonal property of ſuch papiſt, except out of ſuch leaſes which they may hereafter take under the powers granted in this act, any thing contained in any act or ſtatute to the contrary in any wiſe notwithſtanding.

No maintenance or portion to a child of papiſts on a bill as by 2 *Anne* c. 6. ſ. 3. out of perſonal property, ſave leaſes taken under this act.

VI. And whereas by an act made in this kingdom in the ſecond year of the reign of her late Majeſty queen Anne, entitled, *An act to prevent the further growth of popery*, it is amongſt other things enacted to the effect following; in caſe the eldeſt ſon and heir of a popiſh parent ſhall be a proteſtant, that from the time of the enrolment in the chancery of a certificate of the biſhop of the dioceſe, teſtifying his being a proteſtant and conforming himſelf to the church of Ireland as by law eſtabliſhed, ſuch papiſt parent ſhall become and be only tenant for life of all the real eſtate, whereof ſuch popiſh parent ſhall be then ſeized in fee tail or fee ſimple, and the reverſion in fee ſhall be veſted in ſuch eldeſt ſon, being a proteſtant ſubject, as in the ſaid act is mentioned: and whereas it is found inexpedient to continue any longer that part of the ſaid recited act: be it enacted by the authority aforeſaid, that from and after the firſt day of November one thouſand ſeven hundred and ſeventy eight the conformity of the eldeſt ſon, and the filing of the biſhop's certificate, and performing the requiſites by that act or any other act required in that reſpect, ſhall not affect or alter the eſtate of any popiſh parent by making ſuch popiſh parent become tenant for life, or by veſting a reverſion or eſtate in ſuch eldeſt ſon; but ſuch popiſh parent ſhall remain ſeized and poſſeſſed of the ſame eſtate and intereſt in all and every his or her real eſtate, as he or ſhe would have been, if ſuch eldeſt ſon had not conformed, or the ſaid act of the ſecond of queen Anne had not been made.

Conformity of eldeſt ſon, as by 2 *Anne* c. 6. ſ. 3. or other act, ſhall not alter popiſh parents eſtate.

VII. Provided always, that nothing herein contained ſhall affect or be conſtrued to affect the right, title, claim, or eſtate of any eldeſt ſon and heir of a popiſh parent, who has or at any time before the paſſing of this act ſhall have conformed in ſuch manner, as is by the aforeſaid part of the ſaid act directed, or of any

Not to affect right of ſuch eldeſt ſon conforming before.

any perſon deriving by, from, or under ſuch eldeſt ſon and heir of ſuch popiſh parent; any thing herein to the contrary thereof contained in any wiſe notwithſtanding.

Titles not litigated before 1ſt November 1778,

VIII. And be it enacted by the authority aforeſaid, That all and every perſon and perſons, being in the actual poſſeſſion of any lands, tenements, or hereditaments under titles, which ſhall not have been litigated before the firſt day of November one thouſand ſeven hundred and ſeventy eight, whether derived by deſcent, deviſe, limitation, or purchaſe, and all perſons deriving under ſettlements made upon marriages or other valuable conſideration by papiſts in poſſeſſion, ſhall have, take, hold, or enjoy the ſame, as if the ſaid acts of the ſecond and eighth of queen Anne, or any thing therein contained, had not been made.

or deriving under marriage ſettlement or valuable conſideration, by papiſts in poſſeſſion, enjoyed as if ſaid acts not made.

Not to affect rights veſted, and ſuit inſtituted and proſecuted,

IX. Provided always, That nothing herein contained ſhall extend or be conſtrued to affect any right, claim, or title already veſted, upon which any action or ſuit is now depending, or ſhall be inſtituted before the firſt day of November one thouſand ſeven hundred and ſeventy eight, and proſecuted with effect and without delay: and that all and every conveyance, heretofore made by any papiſts or perſons profeſſing the popiſh religion to any proteſtant for the uſe of a proteſtant, ſhall be as valid and effectual, as if ſuch conveyance was made by a proteſtant.

or former conveyance by papiſt to a proteſtant.

No benefit to convert relapſing,

X. Provided alſo, That no perſon ſhall take benefit by this act who having been converted from the popiſh to the proteſtant religion ſhall afterwards relapſe to popery, nor any perſon being a proteſtant who ſhall at any time become a papiſt, or ſhall educate, or ſuffer to be educated, any of his children under the age of fourteen years in the popiſh religion.

or proteſtant becoming papiſt, or educating children under 14 papiſts.

Power to leaſe for years determinable on lives as in ſettlements, ſubject to every reſtriction therein.

XI. And be it enacted by the authority aforeſaid, That any perſon or perſons, who have power under ſettlements to make leaſes for one or more life or lives, may and ſhall have the like power to let for any number of years determinable on one life or ſuch number of lives as in their reſpective ſettlements mentioned and agreed upon in reſpect of ſuch power, ſubject however to all and every other proviſoe, condition, and reſtriction in ſaid ſettlements contained concerning ſuch leaſes.

THE NINETEENTH and TWENTIETH Years OF GEORGE III.

CHAP. I.

An Act for granting unto His Majesty an additional Duty on Beer, Ale, Strong Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes therein mentioned; and for prohibiting the Importation of all Gold and Silver Lace, and of all Cambricks and Lawns, except of the Manufacture of Great-Britain.

A. D. 1779-80.

WE your Majesty's most dutiful and loyal subjects the commons of Ireland in Parliament assembled, having a just sense of your royal care for the prosperity of all your subjects, and well knowing that the security of this realm, and the continuance of the many blessings we enjoy under your Majesty's mild and auspicious reign, depend on the support of your Majesty's government: and whereas twelve thousand effective men, commission and non-commission officers included, are necessary to be maintained within this kingdom for its defence: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present Parliament assembled, and by the authority of the same, That three thousand and forty six men, commission and non commission officers included, which have been raised in pursuance of an act of Parliament passed in this kingdom in the

A. D. 1779-80. Chap. 1.

ſeſſion of one thouſand ſeven hundred and ſixty nine be continued for ſix months from the firſt day of January one thouſand ſeven hundred and eighty to the thirtieth day of June one thouſand ſeven hundred and eighty inclusive, ſo as that the forces on the eſtabliſhment of this kingdom may amount to fifteen thouſand and forty ſix effective men, commiſſion and non commiſſion officers included.

II. And in order to enable your Majeſty to carry into execution your Majeſty's intentions and determined reſolution, ſignified to us by his excellency the lord viſcount Townſhend, late lord lieutenant of this kingdom, by your Majeſty's command, to keep within this kingdom for the neceſſary defence of the ſame, twelve thouſand effective men, commiſſion and non commiſſion officers included, at all times unleſs in caſes of invaſion or rebellion in Great Britain, and to defray the other neceſſary expences of your Majeſty's government; we do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the authority aforeſaid, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine until the twenty fourth day of June, which ſhall be in the year one thouſand ſeven hundred and eighty inclusively, and no longer, there ſhall be throughout your Majeſty's kingdom of Ireland granted, raiſed, collected, levied, and paid to your Majeſty, your heirs and ſucceſſors, the ſeveral rates, additional duties and impoſitions, herein after mentioned (that is to ſay) for and upon every thirty two gallons of beer or ale above the price of ſix ſhillings the barrel, brewed within this kingdom by any common brewer, or in his veſſels, or by any other perſon or perſons who doth, or do, or ſhall ſell or tap out beer or ale publickly or privately, ſuch gallon to contain two hundred and ſeventy two cubical inches, and one fourth part of a cubical inch, the ſum of two ſhillings, to be paid by the common brewer, or by ſuch other perſon or perſons reſpectively, who ſhall brew, ſell, or tap out the ſame, and ſo proportionably for a greater or leſſer quantity; and for every thirty two gallons of beer or ale of the price of ſix ſhillings or under, brewed within this kingdom by any common brewer, or in his veſſels, or by any other perſon or perſons who doth, or do, or ſhall ſell or tap out beer or ale publickly or privately, each gallon to contain two hundred and ſeventy two cubical inches, and one fourth part of a cubical inch, the ſum of four pence, to be paid by the common brewer, or ſuch other perſon or perſons reſpectively, who ſhall brew, ſell, or tap out the ſame during the time aforeſaid, and ſo proportionably for a greater or leſs quantity; for every gallon of aquavitæ, ſtrong waters, or ſpirits, made or diſtilled within this kingdom for ſale, the ſum of four pence, to be paid by the firſt maker or diſtiller thereof during the time aforeſaid; for every pound weight of tobacco, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of three pence halfpenny; for every yard of muſlin, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of ſix pence; for every yard of all ſorts of ſilks and ſtuffs, made or manufactured in Perſia, China, or the Eaſt Indies, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of one ſhilling and ſix pence; for every ton of wine that ſhall be imported into this kingdom during the time aforeſaid, the ſum of four pounds, and ſo proportionably for a greater or leſs quantity; for every gallon of brandy, ſtrong waters, and ſpirits perfectly made, and of ſpirits made and diſtilled of wine not above proof, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of eight pence, and ſo proportionably for a greater or leſs quantity; and for every gallon of foreign ſpirits (above the quality of ſingle ſpirits) which ſhall be imported into this kingdom during the time aforeſaid, an additional duty ſhall be paid for ſuch ſpirits, and ſhall be charged thereon, in proportion to the duties payable for ſingle ſpirits of the ſame denomination, according to the comparative degree of ſtrength, which ſuch ſpirits ſo to be imported ſhall bear to ſingle ſpirits of the ſame denomination; for and upon every pound weight of coffee, chocolate, and cocoa nuts, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of three pence; a tax of one ſhilling per barrel upon all herrings that ſhall be imported

into this kingdom (except Britiſh herrings) during the time aforeſaid; an additional duty of twenty ſhillings ſterling on every hundred weight of molaſſes; an additional duty of twenty ſhillings on every hundred weight of treacle; an additional duty of ſix pence *per* yard for and upon all foreign ſtuffs, called romalls, and all manufactures made of cotton, or of cotton and linen mixed, whether plain, painted, or ſtained, which ſhall be imported into this kingdom during the time aforeſaid, from any part beyond the ſeas (except the manufacture of Great Britain;) an additional duty of ſix pence *per* hide for and upon every raw and untanned hide, which ſhall be exported out of this kingdom to parts beyond the ſeas (except to Great Britain) during the time aforeſaid; an additional duty of one ſhilling for every rheam of writing or printing paper, which ſhall be imported into this kingdom during the time aforeſaid, (except of the manufacture of Great Britain); an additional duty of ſix pence *per* yard over and above the preſent duties on all damaſk towelling or napkins, made of flax or hemp, imported into this kingdom from foreign parts, or from any other place than Great Britain, during the time aforeſaid, at or under a yard wide, and of one ſhilling *per* yard on all ſuch goods from ſix quarters to eight quarters wide, and of two ſhillings *per* yard on all ſuch goods from eleven quarters to twelve quarters wide.

III. And be it further enacted by the authority aforeſaid, That the ſix pence *per* pound, and all other fees which ſhall or may be payable to the vice-treaſurer or vice-treaſurers, paymaſter or receiver general of this kingdom, upon iſſuing or payment of any ſum or ſums which ſhall or may ariſe out of the aids herein before particularly mentioned, ſhall be received by the ſaid vice-treaſurer or vice-treaſurers, receiver, or paymaſter general, for the uſe of his Majeſty, his heirs and ſucceſſors, during the time aforeſaid, and ſhall be duly accounted for by him or them to his Majeſty, his heirs and ſucceſſors, as a further additional aid hereby given and granted for the further ſupport of his Majeſty's government.

IV. And be it further enacted by the authority aforeſaid, That the ſeveral further additional rates, duties, and impoſitions herein after mentioned, ſhall be granted, raiſed, levied, and paid to his Majeſty, his heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to the twenty fourth day of June one thouſand ſeven hundred and eighty inclusive; that is to ſay, a further additional duty of four pounds thirteen ſhillings and four pence *per* ton for and upon all French wines; a further additional duty of ſix pounds *per* ton for and upon all wines of the growth of Portugal; and a further additional duty of four pounds eleven ſhillings *per* ton for and upon all Rheniſh wines, and all other wines (except Spaniſh wines) which ſhall be imported into this kingdom during the time aforeſaid, over and above all other duties now payable for the ſame, and ſo proportionably for a greater or leſs quantity; a further additional duty of one ſhilling *per* rheam upon every rheam of paper, except writing, printing, brown, blue, and preſſing paper, which ſhall be imported into this kingdom from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to the twenty fourth day of June one thouſand ſeven hundred and eighty inclusively, (except of the manufacture of Great Britain;) an additional duty of two ſhillings *per* barrel upon all wheat, except of the produce of Great Britain, imported into this kingdom, unleſs the middle price of wheat at the port, where the ſame ſhall be imported, ſhall exceed the price of twenty three ſhillings Engliſh *per* barrel at the time of ſuch importation, the ſaid price to be aſcertained as directed by an act of Parliament made and paſſed in the twenty ninth year of his late Majeſty King George the ſecond, entitled, *An act for the further encouragement of tillage.*

V. Whereas it is deemed reaſonable and for the advancement of trade, That all goods and merchandize the manufacture of this kingdom, to be exported directly from this kingdom to the Britiſh plantations in America, or to the Weſt Indies, or into any of the ſettlements belonging to Great Britain on the coaſt of Africa, ſhould ſtand chargeable with and pay unto his Majeſty, his heirs and ſucceſſors, duties and taxes to as great an amount, as goods and merchandize of the

A. D. 1779-80. Chap. 1.

ſame denomination and quality exported from Great Britain to ſuch places now ſtand chargeable with, whether the ſaid charges be on the importation of the materials, of which the ſaid goods and merchandize are made, or by duties on the exportation of the ſame, or by inland exciſe not drawn back or compenſated for by bounties: be it enacted by the authority aforeſaid, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, and until the twenty fourth day of June one thouſand ſeven hundred and eighty inclusive, and no longer, there ſhall be raiſed, levied, granted, collected, and paid unto his Majeſty, his heirs and ſucceſſors, upon the exportation of the ſeveral articles following from this kingdom to any of the places aforeſaid during the time aforeſaid the ſeveral rates, duties, and impoſitions herein after mentioned, that is to ſay, for every ton of bar iron the ſum of two pounds ten ſhillings ſterling, and ſo in proportion for any greater or leſſer quantity; and for every ton of ſplit, rolled, plated, or tinned iron, and for every ton of manufactured iron wares, the ſum of three pounds three ſhillings and eleven pence, and ſo in proportion for any greater or leſſer quantity; for and upon every hundred weight of hides, calves ſkins, and kip ſkins, tanned or tawed, and not dreſſed in oil, and of ſheep ſkins tanned for gloves, or bazil, the ſum of ſix ſhillings one penny and two thirds; and for and upon every hundred weight of hides dreſſed in oil the ſum of one pound one ſhilling and three pence two thirds; and for and upon every hundred weight of ſheeps ſkins tawed and not tanned or dreſſed in oil the ſum of five ſhillings and three pence halfpenny; and for and upon every hundred weight of ſheep ſkins tanned for roans, and not dreſſed in oil, the ſum of ſeven ſhillings and nine pence ten twelfths; and for and upon every hundred weight of ſheep ſkins dreſſed in oil the ſum of eleven ſhillings and two pence four twelfths; and for and upon every hundred weight of calves ſkins dreſſed in oil the ſum of one pound eight ſhillings and one halfpenny; and for and upon every dozen of vellum the ſum of three ſhillings and three pence; and for and upon every dozen of parchment the ſum of one ſhilling and ſeven pence halfpenny; and for and upon all kids hair a duty after the rate of one ſhilling for every twenty ſhillings value thereof, as the ſame ſhall be valued on the oath of the exporter, and ſo in proportion for any greater or leſſer quantities which ſhall be exported as aforeſaid; the ſaid ſeveral duties to be in lieu and full ſatisfaction of all duties and cuſtoms now payable to his Majeſty upon the exportation of the ſaid ſeveral articles reſpectively; alſo for and upon every hundred weight of ſoap an additional duty of one ſhilling and ſix pence; and for and upon every ton of *lapis calaminaris*, the produce of this kingdom, an additional duty of two ſhillings and two pence; for and upon all lamb ſkins an additional duty after the rate of one ſhilling and ten pence halfpenny for every hundred and twenty ſkins; and for and upon every hundred weight of lamb ſkins tawed and not tanned or dreſſed in oil, a further additional duty of four ſhillings and two pence halfpenny; and for and upon every hundred weight of lamb ſkins tanned for gloves, or bazil, a further additional duty of five ſhillings and two thirds of a penny; and for every hundred weight of lamb ſkins dreſſed in oil a further additional duty of ten ſhillings and one penny and one third of a penny; and for and upon all goat ſkins tawed an additional duty after the rate of eleven ſhillings and eight pence for every one hundred and twenty ſkins; and for and upon every pound weight of goat ſkins tanned with ſumack to reſemble Spaniſh leather an additional duty of four pence and four twelfths of a penny; and for and upon all pelts an additional duty after the rate of two ſhillings and nine pence four twelfths for every hundred pelts; and for and upon all pieces or parts of ſkins tawed or tanned, and not dreſſed in oil, a duty after the rate of two ſhillings for every twenty ſhillings value thereof, and for and upon all pieces or parts of ſkins dreſſed in oil a duty after the rate of one ſhilling for every twenty ſhillings value thereof; and for and upon every hundred weight of pieces or parts of ſkins dreſſed in oil a further duty of ſix ſhillings and two pence two thirds; for and upon every pound weight of grey rabbit fur or coney hair,

hair, an additional duty of one penny and nine twentieths; and for and upon all black coney ſkins, with or without ſilver hair, an additional duty after the rate of one ſhilling and ſix pence eight twentieths for every hundred and twenty ſkins.

VI. And for the better avoiding all doubts and controverſies concerning the ſeveral kind of hides and ſkins, and pieces of hides and ſkins, chargeable by this act, be it further enacted by the authority aforeſaid, That by tanned hides or ſkins, or by tanned pieces of hides or ſkins, are meant only ſuch as are tanned in ooze made of the bark of trees, or ſumack, or whereof the principal ingredients ſhall be ſuch bark or ſumack; and that by hides and ſkins dreſſed in oil, or pieces of hides and ſkins dreſſed in oil, are meant ſuch as are made into leather in oil, or with any liquor or material whereof the chiefeſt ingredients ſhall be oil; and that by tawed hides or ſkins, or by tawed pieces of hides or ſkins, are meant ſuch as are dreſſed or made into leather in allum, and ſalt or meal, or other ingredients, properly uſed by the tawers of white leather.

VII. And whereas the duties payable upon the exportation of iron, iron ware, hides, calves ſkins, kip ſkins, ſheep ſkins, vellum, parchment, and kids hair, in lieu whereof the duties herein before mentioned are impoſed by this act, do now conſtitute a part of his Majeſty's hereditary revenue: be it enacted by the authority aforeſaid, That ſo much of the produce of the ſeveral rates, duties, and impoſitions to be raiſed, levied, granted, collected, and paid unto his Majeſty, his heirs and ſucceſſors, by virtue of this act, upon the ſaid laſt mentioned articles, as the duties now payable thereon would have amounted to, in caſe they had continued to be levied upon the exportation of ſaid articles, ſhall be placed to the account of his Majeſty's hereditary revenue; and that a ſeparate and diſtinct account be kept by the proper officers of ſuch amount upon all and every the aforeſaid articles, which ſhall be ſo exported.

VIII. And be it further enacted by the authority aforeſaid, That all and every the ſeveral and reſpective additional duties, and further additional duties, rates, and impoſitions hereby granted, ſhall be raiſed, anſwered, levied, collected, and paid unto his Majeſty, his heirs and ſucceſſors, during the time aforeſaid, over and above all other duties payable by virtue of an act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*; or by virtue of one other act made in the fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, entitled, *An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tonnage, and other ſums of money, unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into, or out of the kingdom of Ireland, according to the book of rates hereunto annexed.*

IX. And be it further enacted by the authority aforeſaid, That the ſix pence *per* pound, and all other fees which ſhall or may be payable to the vice-treaſurer or vice-treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, upon iſſuing or payment of any ſum or ſums of money, which ſhall or may ariſe out of the aforeſaid duties hereby granted, and herein after particularly mentioned, (that is to ſay,) the aforeſaid duty of four pounds thirteen ſhillings and four pence *per* ton for and upon all French wines, the aforeſaid ſum of ſix pounds *per* ton for all wines of the growth of Portugal, the ſaid duty of four pounds eleven ſhillings *per* ton for all Rheniſh wines, and all other wines, except Spaniſh wines, the aforeſaid duty of one ſhilling *per* rheam upon every rheam of paper, except writing, printing, brown, blue, and preſſing paper, not being of the manufacture of Great Britain, and all other the aids and duties hereby granted, ſhall be received by the ſaid vice-treaſurer or vice-treaſurers, receiver or paymaſter general for the uſe of his Majeſty, his heirs and ſucceſſors, during the time aforeſaid, and ſhall be duly accounted for by him or them.

X. Provided always, and be it further enacted by the authority aforeſaid, That if the ſaid wines or other goods and merchandizes herein before mentioned,

A. D. 1779-80. Chap. 1.

upon which the ſaid additional duties and further additional duties, hereby granted, are charged upon the importation thereof, ſhall, after payment thereof, or ſecurity given for the ſame, be again exported by any merchant or merchants, that is or are a ſubject or ſubjects of this realm, or any other of his Majeſty's dominions, within twenty four calendar months, or by merchant ſtrangers within twelve calendar months, after the importation thereof, and due proof firſt made by certificate from the proper officer, of the due entry and payment of the ſaid additional duties and further additional duties hereby granted and charged thereon, or ſecurity being given for the ſame, and that all other requiſites have been performed, which are by law required to be performed in thoſe caſes, where the duties of exciſe are to be repaid by virtue of the before mentioned act, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*; that then the ſaid additional duties and further additional duties hereby impoſed ſhall without any delay or reward, if the ſame ſhall have been paid, be repaid or allowed unto ſuch merchant or merchants ſo exporting the ſame, within one month after demand thereof; or if the ſame ſhall not have been paid, the ſecurity for the ſaid additional duties and further additional duties, by this act charged, ſhall be vacated or diſcharged, as to ſo much thereof as ſhall be ſo exported, any thing herein contained to the contrary notwithſtanding.

XI. And be it further enacted by the authority aforeſaid, That the additional rates and duties hereby granted and impoſed on coffee, chocolate, and cocoa nuts, and all monies ariſing thereby, ſhall be paid to the truſtees, appointed for the management of the hempen and flaxen manufactures of this kingdom, to be by them applied to encourage and ſupport the ſaid manufactures, and the trade thereof in this kingdom; and that the ſaid additional duties on raw and untanned hides, and all money ariſing thereby, ſhall be paid to the ſaid truſtees, to be by them applied towards encouraging the raiſing of flax-ſeed in this kingdom.

XII. And be it further enacted by the authority aforeſaid, That all and every the ſeveral and reſpective duties, rates, and impoſitions, hereby granted, ſhall be raiſed, anſwered, collected, and paid unto his Majeſty, his heirs and ſucceſſors, during the term aforeſaid, at the ſame time, in like manner, and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed, for the raiſing, anſwering, collecting, and paying of duties, in and by the ſaid act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relating to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes as if the ſame were particularly mentioned, expreſſed, and enacted again in the body of this preſent act; with like remedy of appeal to and for the party grieved, as in and by the ſaid act of exciſe, or any other law or laws now in being relating to the duties of exciſe, is provided.

XIII. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fifth day of December, one thouſand ſeven hundred and ſeventy nine, a ſeparate and diſtinct account ſhall be kept by the proper officer or officers of the ſeveral ſums ariſing from the aforeſaid ſeveral aids, duties, and taxes hereby granted as aforeſaid, and that the commiſſioners of his Majeſty's revenue ſhall return their weekly abſtracts from the ſeveral collectors to the accomptant-general; and that the accomptant general ſhall return a ſeparate account of the aforeſaid ſums ariſing from the ſaid aids, duties, and taxes hereby granted to the vice-treaſurer or vice-treaſurers, his or their deputy or deputies; and that every collector or receiver do take a ſeparate receipt for the ſame, when paid into his Majeſty's treaſury; which ſaid receipt the ſaid vice-treaſurer or vice-treaſurers, his, or their deputy or deputies, is and are hereby required to give accordingly.

XIV. And be it further enacted by the authority aforeſaid, That the ſeveral ſums herein after mentioned be paid out of the aforeſaid additional duties and aids, granted to your Majeſty by this preſent act, to the perſons and for the purpoſes herein after mentioned, (that is to ſay) the ſum of four thouſand pounds to the right honourable the ſpeaker of the houſe of commons, to enable him to maintain the ſtate and dignity of his office; the ſum of one thouſand pounds to the truſtees of the linen manufacture for ſix months from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to the twenty fourth day of June one thouſand ſeven hundred and eighty, to encourage the raiſing ſufficient quantities of hemp and flax in this kingdom; and alſo the further ſum of one thouſand pounds for ſix months from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, to the twenty fourth day of June one thouſand ſeven hundred and eighty to the ſaid truſtees of the linen manufacture for the encouragement of the hempen and flaxen manufactures in the provinces of Leinſter, Munſter, and Connaught; and that the ſaid ſeveral ſums ſo granted to the ſaid truſtees of the flaxen and hempen manufactures to be freed and diſcharged from the payment of the ſix pence per pound and all other fees, which ſhall or may be payable to the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom; the ſum of five hundred pounds to the right honourable Agmondiſham Veſey, eſquire, accomptant general, as a reward for his expence and trouble in preparing and ſtating the publick accounts of the nation, laid before the houſe of commons this ſeſſion of parliament; the ſum of three hundred pounds to Henry Gore, eſquire, as a reward for his expence and trouble in preparing and making out the account of the imports and exports for two years, ended the twenty fifth day of March one thouſand ſeven hundred and ſeventy nine, purſuant to the order of the houſe of commons; the ſum of five hundred pounds to Henry Alcock and Shapland Carew, eſquires, clerks of the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of Parliament; the ſum of four hundred pounds to Mr. Benjamin Higgins, clerk aſſiſtant, as a reward for his attendance and ſervice this ſeſſion of Parliament; the ſum of one thouſand pounds to Dixie Coddington, eſquire, ſerjeant at arms, as a reward for his attendance and ſervice this ſeſſion of parliament; the ſum of eight hundred pounds to Thomas Ellis, as a recompence for his expence and trouble in the claſſing, arranging, and ſcheduling the papers and records of the houſe of commons, and for paying the four clerks by him employed for that purpoſe; the ſum of three hundred pounds to James Corry, clerk of the journals and records appointed in purſuance of the report of a committee of the houſe of commons, for his trouble and expence in the execution of his office; the ſum of one hundred pounds to Jonathan Rogers, clerk of the engroſſments, as a reward for his attendance and ſervice this ſeſſion of parliament; the ſum of three hundred and fifty pounds to George Melvin and George Frederick Winſtanley, the clerks attending the committee of accounts, and other committees, as a reward for their attendance and ſervice this ſeſſion of parliament, to be equally divided between them; the ſum of one hundred and twelve pounds to Abraham Bradley for printing the publick accounts laid before the houſe of commons this ſeſſion of parliament; the ſum of fifty pounds to Laurence Senſi, as a reward for his trouble and attendance in delivering the votes to the members of the houſe of commons this ſeſſion of parliament; the ſum of one hundred pounds to James M'Cowan and Henry Holmes, door-keepers of the houſe of commons, as a reward for their attendance and ſervice this ſeſſion of parliament, to be equally divided between them; the ſum of two hundred and fifty pounds to the right honourable the ſpeaker of the houſe of commons to be by him divided amongſt the back door keepers and meſſengers attending the houſe of commons (being thirteen in number) in ſuch manner as he ſhall direct; the ſum of fifty pounds to George Melvin, for his extraordinary trouble during his attendance on the committee of accounts; the ſum of two hundred pounds to John Wetherall ſenior, and John Wetherall junior, aſſiſtant examinators of cuſtoms, for their extraordinary trouble in making up the ſeveral

A. D. 1779-80. Chap. 1.

accounts by them laid before the houſe of commons, and in attending this ſeſſion of parliament; the ſum of three hundred pounds to William Wetherall and Paul Le Bas, examinators of corn premiums, on account of the great increaſe of their trouble in examining and keeping accounts of ſaid premiums, and for their expence in payment of clerks in the two years, ending at Lady day one thouſand ſeven hundred and ſeventy nine; the ſum of one hundred pounds to Mr. Henry Smyth, deputy paymaſter of the corn premiums, for his extraordinary trouble and expence in preparing accounts by him laid before the houſe of commons for two years, ending Midſummer one thouſand ſeven hundred and ſeventy nine; the ſum of one thouſand two hundred pounds to Sir Roger Palmer, baronet, in conſideration of his extraordinary attendance, care, and expence in the office of paymaſter of corn premiums during the two years, ending at Michaelmas one thouſand ſeven hundred and ſeventy nine; the ſum of one hundred pounds to Thomas Ellis for his trouble and expence in preparing copies, ſuperintending the printing, and making an index to the eighteenth volume of the journals of the houſe of commons; the ſum of twelve thouſand five hundred pounds to the incorporated ſociety towards ſupporting the proteſtant charter ſchools of this kingdom; the ſum of two thouſand five hundred pounds to the Dublin ſociety for the improvement of huſbandry and other uſeful arts in Ireland, and to enable them to continue premiums for the encouragement of agriculture, arts, and manufactures; the ſum of eight thouſand pounds to the governors of the foundling hoſpital and work houſe towards enabling them to diſcharge the debts by them contracted for the uſe of that charity, and towards ſupporting their neceſſary expences; the ſum of ſix hundred and ſixty five pounds eight ſhillings and nine pence to Mary Hay, the coſt of thirty five ſets of the ſtatutes of Ireland in nine volumes delivered by her for the uſe of the members of the houſe of commons; the ſum of four hundred and twenty nine pounds three ſhillings and four pence to Abraham Bradley, printer to the houſe of commons, the coſt of printing and binding five hundred of the eighteenth volume of the journals of the houſe of commons, delivered by him for the uſe of the members; the ſum of one hundred pounds to George Melvin and George Frederick Winſtanley, the committee clerks of the houſe of commons, for their extraordinary trouble and expence this ſeſſion of parliament; the ſum of two thouſand pounds to the corporation for the relief of the poor in the city of Dublin, for the ſupport of the houſe of induſtry in the ſaid city in aid of charitable contributions; the ſum of nine hundred and two pounds twelve ſhillings and ten pence to the lord chancellor and chief judges to enable them to pay the debt by them contracted in building the new four court marſhalſea; all which ſaid ſeveral ſums are to be paid by the vice treaſurer or vice treaſurers, receiver general or receivers general, of this kingdom without any further or other warrant to be ſued for, had, or obtained in that behalf.

XV. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine the ſeveral ſums granted by this act, or any other act of parliament now in force in this kingdom, and appropriated to encourage the raiſing ſufficient quantities of flax and hemp in this kingdom, and for the encouragement of the hempen and flaxen manufactures of the provinces of Leinſter, Munſter, and Connaught, ſhall be applied to ſuch purpoſes only and no other; and that a ſeparate and diſtinct account ſhall be kept by the proper officer of the application thereof, and be laid before parliament.

XVI. And be it further enacted by the authority aforeſaid, That the tax of one ſhilling *per* barrel hereby granted and impoſed on all herrings, imported into this kingdom, be paid to the Dublin ſociety, to be by them applied to the encouragement of the fiſheries in the north weſt parts of this kingdom.

XVII. Provided always, in caſe any herrings ſo imported ſhall be exported within nine calendar months after ſuch importation, that the duties hereby impoſed and paid on ſuch importation ſhall be repaid to and drawn back by the exporter or exporters of the ſame.

XVIII. And

A. D. 1779-80.

XVIII. And be it further enacted by the authority aforeſaid, That no gold or ſilver lace, cambricks or lawns whatſoever (except of the manufacture of Great Britain) ſhall from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine be imported into this kingdom in any ſhip or veſſel whatſoever, under the penalty of the forfeiture of all ſuch lace, cambricks, and lawns, and treble the value thereof, and of the ſhip or veſſel in which the ſame ſhall be imported, with all her guns, tackle, furniture, ammunition, and apparel; one moiety of which forfeiture ſhall be and remain to your Majeſty, your heirs and ſucceſſors, and the other moiety to him or them who ſhall ſeize and ſue for the ſame by action, bill, plaint, or information in the court of exchequer, wherein no wager of law, protection, eſſoign, or other dilatory plea ſhall be allowed.

Lace, cambrick or lawn, except Britiſh, imported, forfeited, and treble value, the ſhip, &c.

CHAP. II.

An Act for granting unto his Majeſty the ſeveral Duties, Rates, Impoſitions, and Taxes therein particularly expreſſed, to be applied to the Payment of the Intereſt of the Sums therein provided for, and towards the Diſcharge of the ſaid principal Sums, in ſuch Manner as therein is directed, and for other Purpoſes as are therein mentioned.

WHEREAS by an act of Parliament made and paſſed in the ſeventeenth and eighteenth years of your Majeſty's reign, entitled, *An act for granting unto his Majeſty the ſeveral duties, rates, impoſitions, and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed, and for ſuch other purpoſes as are therein mentioned*, ſeveral aids and additional duties were granted to your Majeſty, your heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine inclusive, to pay an intereſt for the ſeveral ſums in the ſaid recited act particularly mentioned, or ſo much thereof as ſhould remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven, to the perſon or perſons who lent the ſame, his, her, or their executors, adminiſtrators, or aſſigns, at the rate of four pounds *per centum per annum* to commence from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhould be reſpectively paid their principal money at one entire payment: and whereas

By 17 & 18 G. 3. c. 2. additional duties to 25 December 1779 to pay 4 *per cent.* loan intereſt,

and further loan not exceeding 1660001.

A. D. 1779-80. Chap. 2.

whereas it was enacted in and by the ſaid recited act, that for all and every ſuch further ſum or ſums of money, not exceeding in the whole the ſum of one hundred and ſixty ſix thouſand pounds, as ſhould be actually paid by any perſon or perſons into his Majeſty's treaſury at the inſtance of his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, to ſupply ſuch deficiencies as ſhould or might ariſe in the aids granted in the ſaid ſeſſion of Parliament for the ſupport of his Majeſty's government, there ſhould be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the reſpective times of ſuch payments, to the perſon or perſons ſo paying or lending the ſame, his, her, or their executors, adminiſtrators, or aſſigns, ſuch intereſt as ſhould be agreed by his excellency the lord lieutenant, or other chief governor or governors of Ireland for the time being, to be paid for the ſame, not exceeding the rate of four pounds *per centum per annum*, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhould be reſpectively paid their principal money at one entire payment: and whereas in purſuance of the ſaid recited act the ſum of one hundred and ſixty ſix thouſand pounds was paid into your Majeſty's treaſury on or before the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to carry an intereſt at the rate of four pounds *per centum per annum* from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven: and whereas ſubſequent to the paſſing of the ſaid act the commons of Ireland in Parliament aſſembled did in the laſt ſeſſion reſolve, That for all and every the ſum or ſums of money, which were by a reſolution of the ſaid commons dated the thirty firſt of March one thouſand ſeven hundred and ſeventy eight intended and propoſed to be ſubſcribed in ſhares of one hundred pounds each, that had been ſubſcribed purſuant to the ſaid reſolution, or ſhould be ſubſcribed and paid by any perſon or perſons natural born ſubjects or foreigners into his Majeſty's treaſury at the inſtance of his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, to be applied towards the neceſſary expences of government in putting and maintaining this kingdom in a ſtate of defence upon one or more tontine or tontines, ſcheme or ſchemes of life annuities, the ſaid commons would make good to the perſon or perſons ſo paying and advancing ſuch ſum or ſums reſpectively, or to any perſon or perſons lawfully

in purſuance thereof 166000l. paid into treaſury 25 Dec. 1777,

at 4 *per cent.*

ſubſequent reſolution to make good life annuities of 7l. 10s. yearly for ſums ſubſcribed and paid in ſhares 100l. each.

lawfully authorized to receive the ſame, annuities of ſeven pounds ten ſhillings by the year, that is to ſay, one pound ten ſhillings in addition to the ſum of ſix pounds mentioned in the ſaid reſolution of the thirty firſt of March one thouſand ſeven hundred and ſeventy eight for every hundred pounds ſubſcribed or to be ſubſcribed and paid; the ſaid annuities of ſeven pounds ten ſhillings by the hundred to continue for and during the lives of the perſons to be nominated by the perſons ſubſcribing and paying the ſaid ſum or ſums reſpectively, their executors, adminiſtrators, or aſſigns, and to be made good in the ſame manner as annuities granted by an act of parliament paſſed in the ſeſſion holden in the fifteenth and ſixteenth years of his preſent Majeſty, entitled, *An act for granting annuities in the manner therein provided to ſuch perſons as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding one hundred ſeventy five thouſand pounds*, and to be payable at ſuch place or places, and in ſuch manner, with ſuch benefit of ſurvivorſhip upon each and every ſuch tontine or tontines, ſcheme or ſchemes of life annuities, and with all and every ſuch rights, benefits, and advantages, and ſubject to all and every ſuch regulations and reſtrictions, as in and by the ſaid act were granted, enacted, made, and provided concerning the annuities in the ſaid act mentioned; the ſaid annuities to be payable half yearly in equal proportions on ſuch days in every year, and to commence on ſuch day or days, and the ſhares or ſubſcriptions of one hundred pounds each to be paid at ſuch times and in ſuch proportions, and the lives for which ſuch annuities ſhould be granted to be nominated within ſuch time or times before the twenty ninth day of September one thouſand ſeven hundred and ſeventy nine as his excellency the lord lieutenant, or any other chief governor or governors of this kingdom for the time being, ſhould publickly declare and appoint: and whereas upon the credit of the ſaid reſolution the ſum of three hundred thouſand pounds has been paid by ſeveral perſons into his Majeſty's treaſury at the inſtance of his excellency the lord lieutenant in ſhares of one hundred pounds each upon one tontine or ſcheme of life annuities, and the annuities thereon after the rate of ſeven pound ten ſhillings by the year for each hundred pounds commenced on the twenty fifth day of March one thouſand ſeven hundred and ſeventy eight purſuant to the appointment of his excellency the lord lieutenant: be it enacted by the king's moſt excellent majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that for all and

in ſame manner as annuities granted 15 & 16 *G.* 3. c. 21

upon credit of which 300000l. paid into treaſury in ſhares 100l. each,

annuities thereon of 7l. 10s. for each 100l. commenced 25 *March* 1778,

for all ſums not exceeding

A. D. 1779-80. Chap. 2.

and every ſuch ſum and ſums of money, not exceeding in the whole the ſum of one hundred and ſixty ſix thouſand pounds, as have been actually paid by any perſon or perſons into his Majeſty's treaſury of this kingdom purſuant to the ſaid act of parliament, there ſhall be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or vice treaſurers, his or their deputy or deputies, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy ſeven to the perſon or perſons, that ſo paid the ſame, his, her, or their executors, adminiſtrators, or aſſigns, an intereſt at the rate of four pounds a year for every hundred pounds without any fee or charge, free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one entire payment.

166000l. paid purſuant to ſaid act, intereſt at 4 *per cent.* from 25 *Dec.* 1777,

without any deduction,

till principal paid reſpectively at one payment.

II. And be it further enacted by the authority aforeſaid, that for all and every ſum and ſums of money, not exceeding in the whole the ſaid ſum of three hundred thouſand pounds, which have been paid into his Majeſty's treaſury as aforeſaid, there ſhall be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, annuities from the twenty fifth day of March one thouſand ſeven hundred and ſeventy eight after the rate of ſeven pounds ten ſhillings by the year for each ſhare of one hundred pounds to the perſon or perſons, who in purſuance of the ſaid reſolution has or have paid the ſame, his, her, or their executors, adminiſtrators, or aſſigns, or the perſons legally authorized by them, the ſaid annuities to continue for and during the lives of the perſons nominated purſuant to the ſaid laſt recited reſolution, by the perſons who ſubſcribed and paid the ſaid ſum or ſums reſpectively, and to be payable at ſuch place or places, and in ſuch manner, and with ſuch benefit of ſurvivorſhip upon ſaid tontine or ſcheme of life annuities, and with all and every ſuch rights, benefits, and advantages, and ſubject to all and every ſuch regulations and reſtrictions, as in and by an act paſſed in this kingdom in the fifteenth and ſixteenth years of his preſent Majeſty's reign, entitled, *An act for granting annuities in the manner therein provided to ſuch perſons who ſhall voluntarily ſubſcribe towards the raiſing a ſum, not exceeding the ſum of one hundred and ſeventy five thouſand pounds*, were granted, enacted, made, and provided concerning the annuities in the ſaid act mentioned, as fully as if the ſaid act, and every part thereof, were herein particularly declared and enacted of and concerning the annuities as aforeſaid.

For ſaid 300000l. life annuities of 7l. 10s. yearly for each 100l. from 25 *March* 1778,

during lives of nominees by ſubſcribers,

payable, and with benefit of ſurvivor, and with all rights and ſuch reſtrictons, as in 15 & 16 *G.* 3. c. 2.

III. And whereas the ſeveral aids and duties granted to your Majeſty in and by the ſaid firſt recited act have not proved ſufficient to pay and diſcharge the ſaid ſeveral principal ſums and the intereſt of the ſame reſpectively: and whereas it is neceſſary to provide for the payment of ſuch part of the ſaid ſeveral principal ſums, as ſhall remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, together with the intereſt thereof, and alſo to provide for the payment of the ſeveral annuities granted by an act paſſed in a ſeſſion holden in the thirteenth and fourteenth years of your Majeſty's reign, entitled, *An act for granting annuities in the manner therein provided to ſuch perſons, as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty five thouſand pounds*; which act was explained and amended by one other act paſſed in the ſame ſeſſion, entitled, *An act to explain and amend an act paſſed in this ſeſſion of parliament*, entitled, *An act for granting annuities in the manner therein provided to ſuch perſons, as ſhall voluntarily ſubſcribe towards the raiſing a ſum, not exceeding the ſum of two hundred and ſixty five thouſand pounds*; and alſo the ſeveral annuities granted by one other act paſſed in the ſeſſion holden in the fifteenth and ſixteenth years of your Majeſty's reign, entitled, *An act for granting annuities in the manner therein provided to ſuch perſons as ſhall voluntarily ſubſcribe towards the raiſing a ſum, not exceeding the ſum of one hundred and ſeventy five thouſand pounds*; and alſo the ſeveral annuities hereby made payable to the ſeveral perſons who have ſubſcribed the ſaid ſum of three hundred thouſand pounds, upon a ſcheme of life annuities, purſuant to ſaid recited reſolution of the houſe of commons of Ireland in the laſt ſeſſion of parliament: we therefore your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in parliament aſſembled, do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the authority aforeſaid, that for ſo much of the ſaid ſeveral principal ſums ſo formerly borrowed as aforeſaid, as ſhall remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, there ſhall be paid at the receipt of your Majeſty's exchequer by the hands of the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, at the end of ſix calendar months from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to the perſon or perſons, who has or have paid or lent the ſame, his, her, or their executors, adminiſtrators, or aſſigns, an intereſt at the rate of four pounds *per centum per annum*, to commence from the ſaid twenty fifth day of December one thouſand ſeven

Duties by 17 & 18 *G.* 3. c. 2. inſufficient, to provide for principal unpaid 25 *Dec.* 1779 and intereſt, and annuities by 13 & 14 *G.* 3. c. 5 & 7. & 15 & 16 *G.* 3. c. 2.

and annuities hereby payable to ſubſcribers for 300000l.

4 *per cent.* loan intereſt from 25 *Dec.* 1779,

half yearly,

A. D. 1779-80. Chap. 2.

ſeven hundred and ſeventy nine, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one entire payment.

without deduction, till principal at one payment.

IV. And be it enacted by the authority aforeſaid, that the ſeveral annuities granted by the ſaid recited acts to the ſeveral ſubſcribers, who advanced and paid the ſaid two ſeveral ſums of two hundred and ſixty five thouſand pounds, and one hundred and ſeventy five thouſand pounds, into his Majeſty's treaſury purſuant to the ſaid acts, and alſo the ſeveral annuities hereby made payable to the ſeveral perſons, who have advanced and paid the ſaid ſum of three hundred thouſand pounds into his Majeſty's treaſury upon a ſcheme of life annuities purſuant to the ſaid recited reſolution of the houſe of commons of Ireland in the laſt ſeſſion of parliament, ſhall and may be regularly paid, as the ſame ſhall become due, according to the true intent and meaning of the ſaid recited acts and reſolution.

Annuities to ſubſcribers for 265000l. and 175000l. purſuant to 13 & 14 *G.* 3. c. 5 & 7. & 15 & 16 G. 3. c. 2. and for 300000l. purſuant to reſolution laſt ſeſſion, ſhall be paid regularly.

V. And whereas it may be neceſſary that a further ſum or ſums, not exceeding in the whole the ſum of three hundred and fifty thouſand pounds ſterling, ſhall be raiſed to ſupply the deficiencies, that have ariſen or may ariſe in the aids granted heretofore and in this ſeſſion of parliament for the ſupport of your Majeſty's government: we therefore your Majeſty's moſt dutiful and loyal ſubjects the commons of Ireland in parliament aſſembled, do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the authority aforeſaid, that for all and every ſuch ſum and ſums of money, not exceeding in the whole the ſum of two hundred and ten thouſand pounds, as ſhall be the prizes to the fortunate adventurers in a lottery to be eſtabliſhed this ſeſſion of parliament, there ſhall be paid at the receipt of your Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the twenty fourth day of June one thouſand ſeven hundred and eighty, to the perſon or perſons who ſhall be entitled to the ſaid prizes reſpectively, his or her executors, adminiſtrators, or aſſigns, an intereſt after the rate of four pounds *per centum per annum*, without any fee or charge, and free from all deductions, defalcations, and abatement whatſoever, until ſuch time as they ſhall be reſpectively paid the amount of their reſpective prizes at one entire payment.

Further 350000l. to ſupply deficiencies in aids granted,

for 210000l. lottery prizes 4 *per cent.* intereſt paid half yearly from 24 *June* 1780, without deduction.

VI. And

VI. And be it further enacted by the authority aforeſaid, That debentures bearing intereſt after the rate of four pounds *per centum per annum* ſhall be given to the proprietors of the fortunate tickets in the ſaid lottery as and for their reſpective prizes by the proper officers of your Majeſty's treaſury for all and every ſuch ſum and ſums of money, not exceeding in the whole the ſum of two hundred and ten thouſand pounds, as the proprietors of the fortunate tickets in the ſaid lottery ſhall be reſpectively entitled unto; and the ſaid debentures ſo to be given in purſuance of this act ſhall be marked lottery debentures, and be numbered in arithmetical progreſſion, where the common exceſs or difference is to be one, until the whole ſhall be numbered.

Lottery debentures at 4 *per cent.* given for prizes for 210000l.

marked and numbered.

VII. And be it further enacted by the authority aforeſaid, That for all and every ſuch further ſum or ſums of money, not exceeding in the whole the ſum of one hundred and forty thouſand pounds, excluſive of the ſaid ſum of two hundred and ten thouſand pounds, as ſhall be actually paid by any perſon or perſons into his Majeſty's treaſury at the inſtance of his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, to ſupply ſuch deficiencies as aforeſaid, there ſhall be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months to be computed from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, or ſuch other ſubſequent day as his excellency the lord lieutenant or other chief governor or chief governors of this kingdom for the time being ſhall think proper to appoint, to the perſon or perſons ſo paying or lending the ſame, his, her, or their executors, adminiſtrators, or aſſigns, ſuch intereſt as ſhall be agreed upon by his excellency the lord lieutenant or other chief governor or chief governors of this kingdom for the time being, not exceeding the rate of three pence by the day for each one hundred pounds, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one entire payment.

For further loan not above 140000l. intereſt half yearly from 25 Dec. 1779, or as by chief governor appointed, not exceeding 3d. per day each 100l. without deduction, till principal at one payment.

VIII. And be it enacted by the authority aforeſaid, That for all and every ſuch ſum or ſums of money, not exceeding in the whole the ſaid ſum of one hundred and forty thouſand pounds, as ſhall be ſo paid into his Majeſty's treaſury, either bills entitling the

Bills or debentures iſſued for ſaid 140000l. at intereſt as aforeſaid, and numbered.

A. D. 1779-80. Chap. 2.

the bearer to the amount of the ſums reſpectively ſpecified therein, declaring ſuch amount to be payable at ſuch time or times as ſhall be hereafter directed by Parliament, or debentures, ſuch as have been heretofore given for the principal ſums formerly borrowed, ſhall be iſſued and given by the proper officers of his Majeſty's treaſury, as his excellency the lord lieutenant or other chief governor of Ireland for the time being ſhall direct and appoint; ſuch bills or debentures, as the caſe ſhall be, to bear intereſt at ſuch rate as ſhall be agreed on as aforeſaid; and the ſaid debentures or receipts to be numbered in arithmetical progreſſion, where the common exceſs or difference is to be one, until the whole ſhall be numbered, beginning with ſuch number as the ſaid vice treaſurer or receiver or paymaſter general, his or their deputy or deputies, ſhall appoint, and the ſaid bills to be numbered in like manner, beginning with the number one.

Such bills current to revenue, receivers or collectors from 24 June 1782, if not ſooner paid,

IX. Provided always, that every ſuch bill or bills ſo to be iſſued ſhall and may from and after the twenty fourth day of June one thouſand ſeven hundred and eighty two, if not ſooner paid, be received, taken, and be current to any receiver or collector in this kingdom of the cuſtoms, exciſe, or any revenue, aid, or tax in this kingdom, for and in ſatisfaction of any cuſtom, exciſe, revenue, aid, or tax then due or thereafter to become due or payable to your Majeſty, your heirs or ſucceſſors, and ſhall be taken, paſs, and be current at the receipt of your Majeſty's treaſury from every ſuch receiver or collector for and in reſpect of the cuſtoms, exciſe, or any revenue, aid, or tax by him collected or received on or after the ſaid twenty fourth day of June one thouſand ſeven hundred and eighty two.

taken as ſuch at treaſury.

No bill under 8l. 6s. 8d.

X. Provided alſo, in order to avoid ſmall fractional diviſions of daily intereſt leſs than a farthing on ſaid bills, be it enacted by the authority aforeſaid, That no ſuch bill ſhall be iſſued for any ſum leſs than eight pounds ſix ſhillings and eight pence; and that every perſon, to whom any ſuch bill or bills is or are to be iſſued, ſhall or may at his or her option have and receive one bill or ſeveral bills for ſuch ſum, as he or ſhe ſhall chooſe; ſo as ſuch bill or bills, if more than one, do not exceed in the whole the amount of the money by him or her paid into the receipt of your Majeſty's treaſury in purſuance of this act; and ſo as that no bill do iſſue for any greater ſum than eight pounds ſix ſhillings and eight pence, except ſuch ſum as eight pounds ſix ſhillings and eight pence ſhall be the common dividor of.

option to receive one or ſeveral,

not to exceed money paid.

XI. And

A. D. 1779-80. Chap. 2. Expired 24 June, 1780.

XI. And to the intent that the intereſt of the ſaid ſeveral ſums ſo formerly borrowed and remaining unpaid, and the ſaid ſeveral annuities, and the intereſt of the ſaid ſum of two hundred and ten thouſand pounds, and alſo the intereſt of the ſaid further ſum of one hundred and forty thouſand pounds, or ſo much thereof as ſhall be raiſed in purſuance of this act, may be duly and regularly paid, be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of December, which ſhall be in this preſent year one thouſand ſeven hundred and ſeventy nine, there ſhall be throughout his Majeſty's kingdom of Ireland raiſed, levied, granted, collected, and paid to his Majeſty, his heirs and ſucceſſors, until the twenty fourth day of June one thouſand ſeven hundred and eighty inclusive, and no longer, over and above the ſeveral rates and duties payable by virtue of an act paſſed in the fourteenth and fifteenth years of the reign of his Majeſty King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by virtue of one other act paſſed in the ſaid fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, entitled, *An act for the ſettling the ſubſidy of poundage, and granting a ſubſidy of tunnage, and other ſums of money unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to a book of rates hereunto annexed*, and over and above any other duties, rates, impoſitions, and taxes granted to his Majeſty by any other act of Parliament heretofore enacted in this kingdom, and ſtill in force, and over and above any duties, rates, and impoſitions granted by any other act of Parliament, or which ſhall or may be enacted during this preſent ſeſſion of Parliament, the ſeveral duties, rates, impoſitions, and taxes herein after mentioned, (that is to ſay) an additional duty of ſix pounds *per* ton for and upon all ſorts of wine of the growth of France or Spain, and of three pounds *per* ton for and upon all ſorts of wine of the growth of Portugal, and of five pounds *per* ton for and upon all other wines that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine; and alſo an additional duty of four pounds ſterling *per* pound weight for and upon all velvets, or manufactures made of or mixed with ſilk (except thoſe of Great Britain, China, Perſia, and the Eaſt Indies) that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine; an additional duty of one halfpenny *per* pound weight for and upon all hops that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine; an additional

A. D. 1779-80. Chap. 2.

duty of five pounds *per centum* for and upon all china, earthen, japanned, or lacquered ware, as valued or rated for cuſtom by the book of rates, that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine; an additional duty of three pounds *per* ton for and upon all ſorts of vinegar that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine; a further additional duty of two pence *per* gallon for and upon every gallon of aquavitæ, ſtrong waters, and ſpirits that ſhall be made or diſtilled within this kingdom for ſale, to be paid by the firſt maker or diſtiller thereof, from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine; a further additional duty of two pence *per* pound for and upon all coffee that ſhall be imported into this kingdom from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine; a duty of five ſhillings to be paid by all and every perſon or perſons that doth, do, or ſhall ſell or tap out by retail any cyder at any time between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine and the twenty fourth day of June one thouſand ſeven hundred and eighty inclusive; a duty of one penny *per* gallon for and upon all cyder that ſhall be ſold or tapped out by retail, to be paid by the perſon who ſhall ſell or tap out the ſame by retail from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine; an additional duty of ten ſhillings to be paid by every perſon for every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which ſuch perſon ſhall keep in his or her poſſeſſion (except hackney and ſtage carriages, and carriages kept by coachmakers for ſale, and alſo except cabriolets or garden chairs) at any time between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine and the twenty fourth day of June one thouſand ſeven hundred and eighty inclusive; an additional duty of twenty ſhillings *per* ton for and upon every ton of ſoap boilers waſte, and ſo in proportion for a greater or leſſer quantity, that ſhall be exported out of this kingdom to any parts beyond the ſeas from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine; an additional duty of three pounds *per* ton for and upon every ton of linen rags, and ſo in proportion for a greater or leſs quantity, that ſhall be exported out of this kingdom to parts beyond the ſeas from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine.

XII. And whereas great frauds and abuſes have been committed by the clandeſtine importation of tea from parts beyond the ſeas without paying any duty for ſuch tea; for remedy whereof, and for the greater diſcouragement of the pernicious and illegal practices of unlawfully importing and clandeſtinely running and landing of tea, be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine until the twenty fourth day of June one thouſand ſeven hundred and eighty inclusive, there ſhall be paid to his Majeſty, his heirs and ſucceſſors, the ſum of ſix pence for every pound of green tea, and the ſum of four pence for every pound of black bohea and other tea, which ſhall be imported into this kingdom during the time aforeſaid, in lieu and full ſatisfaction of all duties of cuſtoms and excile.

XIII. And be it further enacted by the authority aforeſaid, That the further additional duties herein after mentioned ſhall be raiſed, levied, and paid to his Majeſty, his heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to the twenty fourth day of June one thouſand ſeven hundred and eighty inclusive; that is to ſay a further additional duty of five pounds *per centum* for and upon the ſeveral goods and merchandizes (not being of the growth and produce or manufacture of Great Britain) herein after named, as the ſame now ſtand rated for cuſtoms in the book of rates, or if unrated, ſhall be valued upon the oath of the importer, which ſhall be imported into this kingdom during the time aforeſaid, over and above all other duduties now payable for the ſame, viz. apparel, apples, bacon, and hams, beads of glaſs, chocolate, cocoa nuts, coffee, cork, capers, cloves, currants, cheſnuts, walnuts, ſmall nuts, bugles, hulled barley, artificial flowers, milinary ware, pearl barley, fans, hats chip and ſtraw, anchovies, ſturgeon, pins, wrought ivory, olives, onions, prints and pictures, mace, nutmegs, wrought incle, drugs, (not being for dyers uſe) elephants teeth, furs, all lacquered, japanned, gilt, painted, bronzed, and enamelled ware, gloves of all ſorts, almonds, anniſeeds, cinnamon, liquorice, pepper, piamento, pruins, raiſins, rice, ſaffron, ſuccards, ſuccus liquoritiæ, needles, thimbles, outnal threads, ſiſters thread, china, and earthen ware, whited brown thread, and all other threads, haberdaſhery, hard ware, toys, mermits, iron pots, ſciſſars, ſnuff, tyles, ſhot, laces of cotton, thread, worſted, or ſilk, groceries of all kind (except ſugars) oranges and lemons, lime, lemon, and orange juice (not being for dyers) tape, foreign linens, and all manufactures of flax and hemp; and

A. D. 1779-80. Chap. 2.

alſo the further additional duties herein after mentioned, that is to ſay, for and upon all chintzes, callicoes, and muſlins, of the manufacture of China, Perſia, and the Eaſt Indies, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of ſix pence *per* yard over and above all other duties payable for the ſame; a further additional duty for and upon all teas imported into this kingdom which ſhall have been purchaſed at the Eaſt India company ſales for an higher price than four ſhillings Britiſh *per* pound, at the rate of one penny *per* pound weight for every ſix pence Britiſh that ſhall be paid for the ſame over and above the ſum of four ſhillings Britiſh at the ſales above mentioned, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to the twenty fourth day of June one thouſand ſeven hundred and eighty inclufive, the price of the teas to be inſerted in the cocket, and to be further aſcertained by a reference to the ſale books of the Eaſt India company; copies whereof, or of ſuch parts thereof as ſhall relate to the teas ſo imported, atteſted by the principal accountant or deputy accountant for the time being of the Eaſt India company, the commiſſioners of the revenue are required to procure from time to time for the purpoſes above mentioned; and which copies ſhall be admitted as evidence in all proſecutions commenced or ariſing upon this act; and a further additional duty of ſix pence *per* pack for and upon all painted or playing cards that ſhall be manufactured or vended in this kingdom between the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine and the twenty fourth day of June one thouſand ſeven hundred and eighty, over and above all other duties now payable for the ſame; a further additional duty of ſix pence *per* gallon for and upon all brandy, geneva, and other ſpirits that ſhall be imported into this kingdom from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to the twenty fourth day of June one thouſand ſeven hundred and eighty inclufive, (except ſpirits of the growth and produce of his Majeſty's ſugar colonies in America) over and above all other duties now payable for the ſame; a further additional duty of five ſhillings for and upon every coach, chariot, berlin, calaſh, or chaiſe with four wheels which any perſon ſhall keep in his or her poſſeſſion, being in number not more than one, and of ten ſhillings for every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep exceeding that number (except hackney and ſtage carriages, and carriages kept by coachmakers for ſale;) and alſo an additional duty of five ſhillings on all chaiſes with two wheels, which any perſon ſhall keep in his or her poſſeſſion (except hack-

ney

ney chaiſes and chaiſes kept by the makers for ſale) from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to the twenty fourth day of June one thouſand ſeven hundred and eighty inclusive, over and above all other duties now payable for the ſame. A. D. 1779-80. Chap. 2.

XIV. And be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine until the twenty fourth day of June one thouſand ſeven hundred and eighty, there ſhall be raiſed, levied, collected, and paid the ſeveral ates and additional rates, and additional duties herein after mentioned; that is to ſay, an additional duty of one ſhilling *per* hundred for and upon all flour, meal, bread, and biſcuit, except of the produce and manufacture of Great Britain, imported into this kingdom.

XV. And be it further enacted by the authority aforeſaid, That the ſeveral further additional rates, duties, and impoſitions herein after mentioned ſhall be granted, raiſed, levied, and paid to his Majeſty, his heirs and ſucceſſors, from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to the twenty fourth day of June one thouſand ſeven hundred and eighty inclusive; that is to ſay, a further additional duty of four pence *per* gallon for and upon all *aqua vitæ*, ſtrong waters, or ſpirits made or diſtilled within this kingdom for ſale, to be paid by the firſt maker or diſtiller thereof; a further additional duty of four pence *per* gallon for and upon all rum or other ſpirits of the growth and produce of his Majeſty's ſugar colonies in America, which ſhall be imported into this kingdom from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to the twenty fourth day of June one thouſand ſeven hundred and eighty inclusive; a further additional duty of ſix pence *per* gallon for and upon all brandy, geneva, or other ſpirits, which ſhall be imported into this kingdom from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to the twenty fourth day of June one thouſand ſeven hundred and eighty inclusive, except ſpirits of the growth and produce of his Majeſty's ſugar colonies in America.

XVI. And be it further enacted by the authority aforeſaid, That if the ſaid wines and other goods and merchandizes herein before mentioned, upon which the aforeſaid duties are hereby charged upon the importation thereof, ſhall after the payment thereof, or ſecurity given for the ſame, be exported by any merchant or merchants, who is or are a ſubject or ſubjects of this realm, or any other his Majeſty's

dominions, within twenty four calendar months, or by merchants ſtrangers within twelve calendar months, after the importation thereof, and if due proof ſhall be firſt made by certificate from the proper officers of the due entry and payment of the ſaid duties hereby granted, or ſecurity given for the ſame, and if all other requiſites ſhall be performed, which are by law required to be performed in thoſe caſes, where the duties of exciſe are to be repaid, that then the ſaid duties hereby impoſed ſhall without any delay or reward be repaid or allowed unto ſuch merchant or merchants ſo exporting the ſame within one calendar month after demand thereof, or the ſecurity for the ſaid duties by this act charged ſhall be vacated as to ſo much as ſhall be exported, any thing herein contained to the contrary notwithſtanding.

XVII. And be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine no perſon or perſons whatſoever ſhall ſell or tap out by retail any cyder within this kingdom, but only ſuch as ſhall be licenſed according to the directions of this act, under ſuch penalty as herein after is expreſſed.

XVIII. And be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine it ſhall and may be lawful to and for the chief commiſſioners of his Majeſty's exciſe, or any three of them, and the collectors of his Majeſty's exciſe in their ſeveral and reſpective diſtricts, from time to time to iſſue and grant ſuch licences for the ſelling and tapping out cyder by retail, and that for every ſuch licence ſo to be granted the ſum of one ſhilling and one penny, and no more, ſhall be paid or demanded as a fee for the ſame; and if any perſon or perſons ſhall from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine ſell or tap out cyder by retail without ſuch licence as aforeſaid, every ſuch perſon ſo offending ſhall for every time he or ſhe ſhall ſo offend, forfeit and pay the ſum of five pounds.

XIX. And be it further enacted by the authority aforeſaid, That for the better ordering and collecting the ſaid duty of one penny *per* gallon for and upon all cyder that ſhall be ſold or tapped out by retail, it ſhall and may be lawful to and for the gauger or gaugers, and officers of exciſe within their reſpective diſtricts, from time to time from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to enter in the day time into the houſes, outhouſes, ſtorehouſes, and cellars of every retailer or retailers of cyder, and to take an account

count of all such cyder, as shall be found in the possession of such retailer or retailers, and to charge such retailer or retailers with the said duty of one penny *per* gallon accordingly.

XX. And be it further enacted by the authority aforesaid, That from and after the twenty fifth day of December, one thousand seven hundred and seventy nine, every retailer of cyder shall shew to the gauger or officer of excise on demand all his or her stock of cyder then on hand; and in case any such retailer or retailers of cyder, or his, her, or their servant or servants (in case such retailer or retailers shall not be present, when the gauger or officer of excise shall come to such retailer's house to take stock as aforesaid) shall refuse to make declaration, and shew all his or her stock of cyder then on hand, every such retailer shall for every such offence forfeit and lose the sum of ten pounds, and if such gauger or officer of excise shall after declaration made as aforesaid find any cyder in the possession or custody of such retailer or retailers, over and above the quantity so shewn and declared, such retailer shall likewise forfeit and lose the sum of ten pounds.

XXI. And be it further enacted by the authority aforesaid, That for the better collecting the said duty chargeable on every person who shall keep any carriage with four wheels or carriage with two wheels (except as before excepted) every person, who from and after the said twenty fifth day of December, one thousand seven hundred and seventy nine, shall have or keep any coach, chariot, berlin, calash, or chaise with four wheels, shall within three calendar months after the said twenty fifth day of December, one thousand seven hundred and seventy nine, or within three calendar months after he or she shall have kept any such coach, chariot, berlin, calash, or chaise with four wheels, or chaise with two wheels, by writing under his or her hand certify to the collector of excise in some one of the districts, wherein he or she shall reside or dwell, within the time aforesaid, a true account of every such coach, chariot, berlin, calash, and chaise with four wheels, or chaise with two wheels, which he or she shall have or keep (except hackney or stage carriages and carriages kept by the makers for sale,) with the name of the place and parish of his or her residence or abode at the time of giving such certificate, which said certificate shall be kept by the respective collectors of the several districts in this kingdom for the time being, and shall be also entered or registered in an alphabetical book to be by them respectively kept for that purpose, and a copy of such entry, signed by such collector or his clerk, to be delivered, if required, without fee or reward, to the person delivering such certificate, and a

number ſhall be entered on each certificate ſo regiſtered; and that the ſaid collectors reſpectively ſhall under their hands on or before the twenty fourth day of June, one thouſand ſeven hundred and eighty, give a true liſt of all coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and chaiſes with two wheels, from time to time returned to them reſpectively in ſuch certificates, with the names of the perſons and places of their abode, reſpectively mentioned in ſuch reſpective certificates, to the perſons who for the time being ſhall be appointed by the commiſſioners of his Majeſty's revenue of exciſe, or any three of them, to collect and receive the ſaid duties; and that ſuch perſons, as ſhall be appointed by the ſaid commiſſioners of exciſe, or any three of them, to collect and receive the ſaid duties on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and chaiſes with two wheels, ſhall have full power and authority to levy, collect, and receive the ſame within the diſtrict, wherein the certificate ſhall be entered, in the ſame manner as his Majeſty's revenue ariſing from fire hearths is now by law levied, collected, and received, and ſhall reſpectively ſign and deliver acquittances without fee or reward for the ſame, and ſhall keep duplicates thereof in a book to be kept for that purpoſe, in the ſame manner as acquittances are given and kept for the duty of fire hearths, and ſhall reſpectively return the book containing the duplicates of ſuch acquittances to ſuch perſon and perſons, and at the ſame time, and to be diſpoſed of in the ſame manner, as books containing the duplicates of acquittances for the ſaid duty on fire hearths are returned; and that the duties aforeſaid ſhall be paid in their reſpective diſtricts, wherein the ſaid carriages ſhall be entered or regiſtered reſpectively, and in no other.

XXII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, chargeable with the ſaid duty by virtue of this act, which ſhall not be certified in manner as aforeſaid, then and in ſuch caſe every ſuch perſon and perſons, ſo having or keeping ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, not certified as aforeſaid, ſhall for ſuch neglect forfeit the ſum of twenty pounds, to be ſued for, recovered, levied, and applied in ſuch manner and form, and by ſuch ways and methods, as are preſcribed and appointed for the recovery of penalties in and by an act of Parliament made and paſſed in the ſaid fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted.*

XXIII. Provided

XXIII. Provided nevertheleſs, That every perſon (except as before excepted) having in his or her keeping or poſſeſſion any coach, chariot, berlin, calaſh, or chaiſe with four wheels or chaiſe with two wheels belonging to another, ſhall be charged for every ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels or chaiſe with two wheels, with the ſaid duty impoſed by this act, in the ſame manner as the owner or proprietor thereof is or ought to be charged or chargeable for the ſame by this act.

XXIV. And be it further enacted by the authority aforeſaid, That the perſon or perſons, who for the time being ſhall be authorized and impowered to collect and levy the ſaid duty on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and chaiſes with two wheels, ſhall pay the ſame to the ſaid collectors of the ſeveral diſtricts, where the ſaid duty ſhall be collected and raiſed, and that the ſaid collectors ſhall keep ſeparate and diſtinct accounts thereof, and pay the ſame into his Majeſty's treaſury, as other money received by them for the uſe of his Majeſty.

XXV. Provided always, That nothing in this act ſhall extend or be conſtrued to extend to charge any perſon or perſons, who ſhall keep and certify to the ſaid collectors of exciſe in manner above mentioned any coach, chariot, berlin, calaſh, or chaiſe with four wheels, with the ſaid additional duty of five ſhillings chargeable upon chaiſes with two wheels, nor to charge any cabriolet or garden chair, or to oblige ſuch perſon or perſons to make any entry of any ſuch chaiſes with two wheels, or of ſuch cabriolet or garden chair.

Former debentures for 100l. each may be exchanged for ſmaller ſums.

XXVI. And be it further enacted by the authority aforeſaid, That all and every perſon or perſons, to whom debentures or receipt of one hundred pounds each have been given for any part of the ſaid principal ſums formerly borrowed as aforeſaid, which ſhall remain unpaid on the ſaid twenty fifth day of December in this preſent year one thouſand ſeven hundred and ſeventy nine, now carrying intereſt at the rate of four pounds *per centum per annum*, his, her, or their executors, adminiſtrators or aſſigns, ſhall or may at his, her, or their election or choice receive in exchange for the ſame from the vice treaſurer or vice treaſurers, or paymaſter or receiver general, his or their deputy or deputies, either four debentures of twenty five pounds each, or two debentures of twenty five pounds each and four of twelve pounds ten ſhillings each, as he, ſhe, or they ſhall think proper; and that any perſon or perſons, who ſhall be entitled to

A. D. 1779-80. Chap. 2.

receive, or ſhall at any time or times hereafter be poſſeſſed of, two or more of ſaid lottery debentures, ſhall or may at his, her, or their election or choice receive in exchange for any two or more of the ſame from the vice treaſurer, or receiver or paymaſter general, his or their deputy or deputies, one debenture for the amount of the ſums contained in the two or more debentures ſo offered in exchange; all ſuch debentures ſo iſſued in exchange to be numbered in ſuch manner as the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, ſhall think fit, and to bear the ſame rate of intereſt payable at the ſame time and times, with the debenture or debentures ſo exchanged as aforeſaid, which are hereby required to be cancelled; and that all and every perſon or perſons, entitled, or who ſhall be entitled to any debenture, may by endorſement on ſuch debentures or receipts transfer the right and benefit of the ſums due on the ſaid debentures or receipts; which endorſement upon notice to the vice treaſurer or vice treaſurers, his or their deputy or deputies, and an entry or memorial thereof made in the ſaid vice treaſurer's office, which the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, ſhall upon requeſt without charge, fee or reward, make accordingly, and ſhall on requeſt permit the ſame to be viewed at the uſual office hours without fee or reward, ſhall entitle the endorſee or aſſignee, his or her executors, adminiſtrators, or aſſigns, to the ſole benefit of the ſum ſo transferred or aſſigned; and that the ſaid debentures or receipts may in like manner be aſſigned or transferred by ſuch endorſee or aſſignee, his or her executors, adminiſtrators or aſſigns, and ſo *toties quoties*; and that after ſuch aſſignment it ſhall not be in the power of the perſon or perſons, who made ſuch aſſignment, to make void, releaſe, or diſcharge the ſaid aſſignment, or to diſcharge or receive the ſum thereby transferred or aſſigned or any part thereof.

2 or more lottery debentures may be exchanged for one,

exchanged debentures cancelled,

the others numbered, ſame intereſt and times of payment,

transferable by endorſement on notice and memorial thereof,

endorſee entitled,

ſo *toties*,

not after in power of aſſignor.

XXVII. And be it further enacted by the authority aforeſaid, That all and every the ſeveral and reſpective additional and other duties and rates hereby granted, other than ſuch as are otherwiſe by this preſent act appointed, ſhall be raiſed, anſwered, collected and paid unto his Majeſty, his heirs and ſucceſſors, during the term aforeſaid, at the ſame time and in like manner, and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch

powers as are appointed, directed, and expreſſed in and by the ſaid act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*; or by any other law now in force relative to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes as if the ſame were particularly mentioned, ſpecified, and enacted again in the body of this preſent act with like remedy of appeal to and for the party aggrieved, as in and by the ſaid act of exciſe, or any other law or laws now in being, relative to the duty of exciſe is provided.

XXVIII. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons who ſhall have upon the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, or who ſhall have at any time between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine and the twenty fourth day of June one thouſand ſeven hundred and eighty inclusive, any ſalary, profits of employments, fees, or penſions in this kingdom, ſhall during the time aforeſaid pay unto his Majeſty the full ſum of four ſhillings ſterling out of every twenty ſhillings, which he, ſhe, or they do or ſhall receive, or be entitled unto, by reaſon of ſuch ſalaries, profits of employments, fees, and penſions, over and above the charges and expences of executing ſaid employments; unleſs ſuch perſon or perſons do or ſhall live and actually reſide within this kingdom for and during the ſpace of three calendar months at leaſt between the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine and the twenty fifth day of June one thouſand ſeven hundred and eighty; which ſaid tax or duty of four ſhillings ſterling, payable on every twenty ſhillings within the time aforeſaid ſhall be ſtopped and deducted out of ſuch reſpective ſalaries, fees, and penſions during the time and term aforeſaid by the vice treaſurer or vice treaſurers, paymaſter or paymaſters, and receiver general of his Majeſty's revenue, or by ſuch perſon or perſons who is or are to pay the ſame; and which ſaid tax of four ſhillings in the pound, to be ſtopped and deducted as aforeſaid by the perſon or perſons who is or are to pay the ſaid ſalaries, ſhall be by him or them paid to the vice treaſurer or vice treaſurers, his or their deputy or deputies, to be accounted for to his Majeſty; and alſo that the ſaid tax of four ſhillings in the pound, to be ſtopped

A. D. 1779-80. Chap. 2.

and deducted out of the said salaries, profits of employments, fees and pensions of any person or persons so absent as aforesaid, shall be stopped by the respective deputy or deputies of such person and persons so absent as aforesaid, and paid by them to the said vice treasurer or vice treasurers, his or their deputy or deputies, to be accounted for to his Majesty; and that such deputy or deputies shall within one calendar month, after such tax shall become due, give in upon oath an account before the lord chief baron, or any of the barons of the exchequer, or any two justices of the peace, of the net profits of such employment or employments, for which such deputy or deputies is, are, or shall be accountable to their principals; which account such person or persons to whom the same shall be given upon oath as aforesaid, shall forthwith send to the said vice treasurer or vice treasurers, his or their deputy or deputies, and such deputy or deputies of such person or persons so absent as aforesaid shall within one calendar month after such account given in before the chief baron, or any of the barons of the exchequer, or any two justices of the peace as aforesaid, pay to the vice treasurer or vice treasurers, his or their deputy or deputies, the sum due and payable to his Majesty for and on account of the said tax of four shillings in the pound chargeable upon the nett profits of such employment or employments, office or offices; and in case such deputy or deputies of the person or persons so absent as aforesaid shall omit or neglect to give in upon oath such account, or to pay the said tax, within the respective times herein before for that purpose appointed, such deputy or deputies neglecting or omitting the same from the time of such omission or neglect shall be incapable of exercising or holding such deputation, and shall also forfeit the sum of one hundred pounds sterling, to be recovered by bill, plaint, or information in any of his Majesty's courts of record at Dublin, one moiety thereof to the use of his Majesty, and the other moiety to such person or persons who shall sue for the same, in which suit no essoign, protection, wager of law, or more than one imparlance shall be allowed.

XXIX. And be it further enacted by the authority aforesaid, That the secretary or secretaries of the commissioners of his Majesty's revenue, and the agent or agents of the several persons who are entitled to receive any salaries, fees, or pensions upon his Majesty's establishment, shall respectively on or before the twenty fourth day of June one thousand seven hundred and eighty deliver in upon oath

(which

(which oath the ſaid lord chief baron, or any of the barons of his Majeſty's court of exchequer, or any two juſtices of the peace, are hereby required and impowered to adminiſter) to the beſt of their knowledge a liſt or account of ſuch of the officers of the revenue, and of the perſon or perſons who are entitled to receive any ſuch ſalaries, fees, or penſions, who ſhall have been abſent and out of this kingdom for three calendar months within the time aforeſaid; and in caſe ſuch ſuch ſecretary or ſecretaries, agent or agents, ſhall refuſe or neglect to deliver in ſuch liſts reſpectively, he or they ſhall be diſabled from holding and enjoying the ſaid office of ſecretary or ſecretaries, or from being agent or agents.

XXX. Provided always, and be it further enacted by the authority aforeſaid, That this act ſhall not extend to charge the tax or duty of four ſhillings ſterling on every twenty ſhillings as aforeſaid upon the ſalary, penſion, fees, or profits of employments payable to the deſcendants of his Majeſty's royal grandfather, or to the lord lieutenant or other chief governor or governors of this kingdom for the time being, or to his or their principal ſecretary, or to prince Ferdinand duke of Brunſwick, the duke and dutcheſs of Athol, the right honourable Edward lord baron Hawke of the kingdom of Great Britain, or George Charles eſquire, if his Majeſty ſhall think fit by his ſign manual to exempt the ſaid prince Ferdinand duke of Brunſwick, the duke and dutcheſs of Athol, the ſaid lord baron Hawke, and George Charles, or any of them, from the payment of the ſame; nor ſhall the ſame extend to the officers of the army, ſo far as reſpects the pay ariſing from their regimental commiſſions; nor ſhall the ſame extend to the half pay officers on the eſtabliſhment of this kingdom, or the widows of officers.

No fees to officers on payments.

XXXI. And be it further enacted by the authority aforeſaid, That neither the ſix pence *per* pound, nor any other fee ſhall be payable to, nor be deducted or received by, the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of the iſſuing or payment of any ſum or ſums of money ariſing by, or which ſhall be received for or on account of, the aids hereby granted to his Majeſty, or of the ſum or ſums of money, or any part thereof, which have been raiſed in purſuance of a vote of the houſe of commons laſt ſeſſion of Parliament, or which ſhall or may be raiſed or borrowed, or of any payment to be made in purſuance hereof.

5000l. of tea duty to truſtees of linen manufacture.

XXXII. And be it further enacted by the authority aforeſaid, That ſo much of the produce of all the ſaid duties ariſing upon teas, as ſhall amount to the ſum of five thouſand pounds within the time aforeſaid, ſhall in the firſt place be paid to the truſtees

A. D. 1779-80. Chap. 2.

trustees of the hempen and linen manufactures in this kingdom; and that so much of the residue of the said duties upon teas, as shall amount to the sum of three thousand six hundred and fifty pounds, shall be placed to the account of his Majesty's hereditary revenue; and that the surplus of the produce of such duties, together with the several other duties and aids hereby granted unto his Majesty, shall in the first place be applied and paid by the vice treasurer or vice treasurers, his or their deputy or deputies, to the discharge of the interest of so much of the said several principal sums formerly borrowed as aforesaid, as shall remain unpaid on the twenty fifth day of December one thousand seven hundred and seventy nine, and in the next place to the payment of the annuities aforesaid, and the expences which shall or may be incurred thereby pursuant to the said several recited acts, and the said resolution of the house of commons during the last session, and the provisions herein after contained, and also to the discharge of the interest of such sum or sums, not exceeding in the whole the sum of three hundred and fifty thousand pounds, as shall be raised or borrowed in pursuance of this act, or for which debentures or bills shall be issued pursuant to the provisions herein before mentioned, and the expences which shall or may be incurred thereby in the manner, and at the respective times, and according to the rates of interest herein before mentioned.

365ol. to hereditary revenue, surplus with the other duties to interest of loan due 25 December 1779,

next to said annuities, and interest of loan of 3500ool.

XXXIII. And for that purpose be it further enacted by the authority aforesaid, That the herein before mentioned act, entitled, *An act to explain and amend an act passed in this session of Parliament*, entitled, *An act for granting annuities in the manner therein provided to such persons as shall voluntarily subscribe towards the raising a sum not exceeding the sum of two hundred and sixty five thousand pounds*, shall continue until the twenty fourth day of June in the year one thousand seven hundred and eighty, and no longer; and that the surplus or residue of the produce of the said duties be applied towards the payment of the said principal sums formerly borrowed, carrying an interest at the rate of four pounds *per centum per annum*, and in the next place to the payment of the sum of three hundred and fifty thousand pounds to be raised or borrowed this session of Parliament, or of so much thereof as debentures shall be issued for in pursuance of this act.

13 & 14 G. 3. c. 7. continued to 24 June 1780,

surplus to loan at 4 *per cent.*

next to loan of 350,000l. or the debentures issued.

XXXIV. And be it further enacted by the authority aforesaid, That so much of the said principal sums formerly borrowed, as shall remain due and unpaid on the twenty fourth day of June, which shall be in the year of our lord one thousand seven hundred

Loan due 24 June 1780, and further loan 350000l. shall be paid with such interest, without deduction.

dred and eighty, as alſo ſuch ſum or ſums of money, not exceeding three hundred and fifty thouſand pounds, as ſhall or may be raiſed or borrowed in purſuance of this act, or for which debentures or bills ſhall be iſſued purſuant to the proviſions herein before mentioned, ſhall be well and truly ſatisfied and paid unto the ſeveral and reſpective perſons, their executors, adminiſtrators, and aſſigns, to whom the ſame ſhall be then due, together with ſuch intereſt for the ſame as ſhall be then due at the rate aforeſaid without any deduction, defalcation, or abatement whatſoever.

Separate accounts of appropriated duties,

XXXV. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fifth day of December, one thouſand ſeven hundred and ſeventy nine, a ſeparate and diſtinct account ſhall be kept by the proper officer of the aids, duties, and taxes granted hereby, or by any other act of Parliament now in force in this kingdom, and appropriated to particular uſes; and that the commiſſioners of his Majeſty's revenue ſhall return their weekly abſtracts from the ſeveral collectors to the accountant general; and that the accountant general ſhall return a ſeparate account of the ſeveral duties and taxes ſo appropriated to the vice treaſurer or vice treaſurers, his or their deputy or deputies; and that every collector or receiver of the ſaid duties and taxes do take a ſeparate receipt for the ſame, when paid into his Majeſty's treaſury; which ſaid receipt the vice treaſurer or vice treaſurers, his or their deputy or deputies, is and are hereby required to give accordingly.

weekly abſtracts by commiſſioners,

ſeparate account of appropriated duties by accountant general,

ſeparate receipts to collectors by vice-treaſurers.

CHAP. III.

An Act for granting to his Majeſty, his Heirs and Succeſſors, ſeveral Duties upon Stamped Vellum, Parchment, and Paper.

WE your Majeſty's moſt dutiful and loyal ſubjects the commons of Ireland in Parliament aſſembled, being deſirous to raiſe ſuch aids and ſupplies as may be ſufficient to ſupport with honour and dignity your Majeſty's government, do humbly preſent to your Majeſty the free gift of the rates and duties herein after mentioned, and do beſeech your Majeſty that it may be enacted, and be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, there ſhall be throughout the kingdom of Ireland raiſed, collected, and paid unto your Majeſty, your heirs and ſucceſſors, from the twenty fifth day of December aforeſaid, till the twenty fourth day of June, which ſhall be in the year one thouſand ſeven hundred and eighty inclusive, the ſeveral and reſpective matters and things herein after mentioned, which ſhall be written or engroſſed at any time or times from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to the twenty fourth day of June, one thouſand ſeven hundred and eighty inclusive,

A. D. 1779-80. Chap. 3.

the ſeveral and reſpective rates, impoſitions, duties, charges, and ſums of money herein after expreſſed, in manner and form following; that is to ſay, for every ſkin or piece of vellum or parchment on which any grants or letters patent under the great ſeal of Ireland of any honour, dignity, promotion, franchiſe, liberty, or privilege to any perſon or perſons, bodies politick or corporate, or exemplifications of the ſame, ſhall be engroſſed or written, (commiſſions of rebellion in proceſs always excepted) the ſum of three pounds; for every ſkin or piece of vellum or parchment or ſheet of paper, on which any pardon (except the pardon paſſed in *forma pauperis*) of or for any crime or offence, or of any ſum of money or forfeiture whatſoever, or on which any warrant of reprieve, relaxation from any fines, corporal puniſhment, or other forfeitures, ſhall be engroſſed or written, the ſum of three pounds; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any grant from your Majeſty, your heirs or ſucceſſors, of any ſum of money exceeding one hundred pounds, which ſhall paſs the great ſeal of Ireland, ſhall be engroſſed or written, the ſum of three pounds; for every ſkin or piece of vellum or parchment, or for every ſheet or piece of paper, upon which any grant of any office or employment, which ſhall be above the value of fifty pounds *per annum*, ſhall be written or engroſſed, the ſum of three pounds; for every ſkin or piece of vellum or parchment, on which any grant of lands in fee, leaſe for years, or other grant or profit not herein particularly charged, that ſhall paſs the great ſeal of Ireland, or the ſeal of the exchequer (*cuſtodiam* leaſes excepted) ſhall be engroſſed or written, the ſum of two pounds; for every ſkin or piece of vellum or parchment, or ſheet or piece of paper, upon which any preſentation or donation, which ſhall paſs the great ſeal of Ireland, or upon which any collation to be made by any archbiſhop or biſhop, or any preſentation or donation to be made by any patron whatſoever, of or to any benefice, dignity, or ſpiritual or eccleſiaſtical promotion whatſoever, of the value of one hundred pounds a year or upwards, ſhall be engroſſed or written, the ſum of two pounds, the value to be aſcertained by the certificate of the archbiſhop or biſhop, or vicar general of the dioceſe: Provided always, that two or more benefices epiſcopally united, ſhall be deemed and taken to be one benefice only; for every ſkin or piece of vellum or parchment, or ſheet or piece of paper, on which any diſpenſation to hold two eccleſiaſtical dignities or benefices, or both a dignity and a benefice, or any other diſpenſation or faculty from the lord archbiſhop of Armagh, or maſter of the faculties for the time being, ſhall be engroſſed or written, the ſum of ſix pounds; for every ſkin or piece of vellum or parchment, ſheet or piece of paper, upon which any admiſſion of any fellow of the college of phyſicians, or of any attorney, clerk, advocate, proctor, notary, or other officer or officers in any court whatſoever, ſhall be engroſſed or written (except ſuch officer be an annual officer in any corporation or inferior court, whoſe office is under the value of ten pounds a year in ſalary, fees, or other perquiſites) the ſum of three pounds; for every ſkin or piece of vellum or parchment, or ſheet or piece of paper, upon which any appeal from the court of admiralty or the prerogative court, or from any archiepiſcopal court, ſhall be engroſſed or written, the ſum of three pounds; for every ſkin or piece of vellum or parchment, or ſheet or piece of paper, upon which any conveyance, ſurrender of grants or offices, releaſe, or other deed whatſoever, which ſhall be enrolled of record in any of the courts of the city of Dublin, or in any other court of record whatſoever, ſhall be engroſſed or written, the ſum of five ſhillings; for every piece of vellum or parchment, upon which any writ of covenant for levying a fine, ſhall be engroſſed or written, the ſum of two ſhillings and ſix pence; for every piece of vellum or parchment, upon which any writ of entry for ſuffering a common recovery ſhall be engroſſed or written, the ſum of two ſhillings and ſix pence; for every ſkin or piece of vellum or parchment, upon which any exemplification of what nature ſoever, that ſhall paſs the ſeal of any court whatſoever, ſhall be engroſſed or written, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment or piece of paper, upon which any decree or diſmiſſion made by or in the court of chancery or exchequer ſhall be engroſſed or written

ten

ten the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or ſheet or piece of paper, upon which any inſtitution that ſhall paſs the ſeal of any archbiſhop or biſhop, chancellor, or other ordinary, or eccleſiaſtical court whatſoever, ſhall be engroſſed or written the, ſum of five ſhillings: Provided that an inſtitution to two or more benefices epiſcopally united ſhall be conſidered as to a ſingle benefice; for every ſkin or piece of vellum or parchment, or piece of paper, upon which any writ of error, *certiorari* or appeal, (except to the delegates) ſhall be engroſſed or written, the ſum of five ſhillings; as alſo for every ſkin or piece of vellum or parchment, or piece of paper upon which any writ of *habeas corpus* ſhall be engroſſed or written, the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece of paper, upon which any ſentence, that ſhall be given in the court of admiralty, or upon which any attachment ſhall be made out of the ſaid court of admiralty, or any relaxation of any ſuch attachment, ſhall be engroſſed or written, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, ſheet or piece of paper, upon which any probate of a will, or letters of adminiſtration for any eſtate above the value of thirty pounds, ſhall be engroſſed or written, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, ſheet or piece of paper, upon which any recognizances conditioned for the payment of money, or performance of covenants or agreements, ſtatute ſtaple, or ſtatute merchant, ſhall be engroſſed or written, or entered of record in any court or office, the ſum of five ſhillings; except ſuch recognizances as ſhall be entered into by perſons applying for licences to ſell by retail beer, ale, wine, ſtrong waters, or other liquors, which recognizances ſhall be conſidered as bonds, and ſhall pay ſix pence only; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any record of *niſi prius* or *poſtea*, ſhall be engroſſed or written, the ſum of two ſhillings and ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which ſhall be engroſſed or written any judgment whatſoever, which ſhall be ſigned by the maſter of any office, or his deputy, or ſecondary, or by any prothonotary, or his ſecondary, deputy, or clerk, or any other officer belonging to any of the courts at the city of Dublin, who have power or uſually do or ſhall ſign judgments, a duty after the rate of two ſhillings and ſix pence for every judgment engroſſed or written on ſuch ſkin or piece of vellum or parchment, or piece or ſheet of paper; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any commiſſion iſſuing out of any eccleſiaſtical court, not herein otherwiſe particularly charged, ſhall be engroſſed or written, the ſum of two ſhillings and ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any warrant, monition, or perſonal decree in the court of admiralty ſhall be engroſſed or written (except in ſuits for the payment of ſeamen's wages) the ſum of two ſhillings and ſix pence; for every piece of vellum, parchment, or paper, upon which any ſpecial bail to be taken in any of the courts of the city of Dublin, or before any of the judges of the ſaid courts, or in any other court whatſoever, ſhall be engroſſed or written, and for every piece of vellum, parchment, or paper, upon which ſhall be engroſſed or written any appearance upon ſuch ſpecial bail, the ſum of one ſhilling; for every piece of parchment, vellum, or paper, upon which any common bail to be filed in any court whatſoever, and upon which any appearance, that ſhall be made upon ſuch bail, ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, upon which ſhall be engroſſed or written any bill, anſwer, replication, rejoinder, interrogatories, depoſitions taken by commiſſioners, or any other pleadings whatſoever in the courts of chancery or exchequer, the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, and for every ſheet or piece of paper, upon which any admiſſion into any corporation or company ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of parchment, or piece or ſheet of paper, upon which any affidavit ſhall be engroſſed or written (except ſuch affidavits as ſhall be taken before the officers of your Majeſty's cuſtoms or exciſe, or any juſtice or juſtices of the peace, or before a magiſtrate of

A. D. 1779-80. Chap. 3.

any corporation acting as a juſtice of the peace, or acting in any court of conſcience or of ſummary juriſdiction, or before any judge of aſſize, or commiſſion of oyer and terminer relative to proſecutions or trials on indictments, or to civil bills, or that ſhall be made for the purpoſe of raiſing or accounting for publick money, and except affidavits made relative to the hempen and flaxen manufacture, or to the payment of corn premiums, or made before the truſtees of any turnpike, relative to the roads or tolls of ſuch turnpike, or affidavits made before the Dublin ſociety, the ſum of ſix pence; for every ſkin or piece of parchment, or ſheet or piece of paper, upon which any copy of ſuch affidavit as is herein before charged, that ſhall be filed or read in any court whatſoever, ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which ſhall be engroſſed or written any indenture, leaſe, or deed poll, not hereby otherwiſe charged (except indentures for binding poor pariſh, or other poor children ſupported by publick or private charities apprentices) the ſum of one ſhilling; for every ſkin or piece of vellum, parchment, or piece or ſheet of paper, upon which any original writ (except ſuch original upon which a writ of *capias* iſſues) *ſubpœna*, writ of *capias quominus*, writ of *dedimus poteſtatem* to take anſwers, examine witneſſes, or appoint guardians, or any other writ whatſoever, or any other proceſs or mandate that ſhall iſſue out of or paſs the ſeals of any of the courts in the city of Dublin, or any other court whatſoever holding plea, where the debt or damage doth amount to forty ſhillings or above, or the thing in demand is of that value, ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum, or parchment, or piece or ſheet of paper, upon which any entry of any action in the mayor's and ſheriffs courts of the city of Dublin, and in courts in all corporations, and other courts whatſoever, out of which no writs, proceſs, or mandate iſſue, holding plea where the debt or damage doth amount to forty ſhillings or above, ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or ſheet or piece of paper, upon which any rule or order, (except in cauſes proſecuted upon indictments, or which relate to preſentments) made or given in any of the courts at the city of Dublin, either courts of law or equity, which ſhall be taken out, ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or ſheet or piece of paper, upon which any copy of ſuch rules or orders, except in cauſes proſecuted upon indictments, or which relate to preſentments entered, or the copies of any other records or proceedings in any of the ſaid courts at the city of Dublin, not hereby otherwiſe charged, ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which ſhall be engroſſed or written any citation or monition made in the prerogative court, or in any eccleſiaſtical court, or any libel or allegation, depoſition, anſwer, ſentence, or final decree, or any inventory exhibited in the prerogative court, or in any eccleſiaſtical court, or the court of admiralty, or whereupon any copies of them reſpectively ſhall be engroſſed or written, (except in ſuits for recovery of ſeamen's wages) the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any charter party, policy of aſſurance, paſſport, bond, releaſe, contract, or other obligatory inſtrument, or any proteſt, procuration, letter of attorney, or any other notarial act whatſoever ſhall be engroſſed or written, the ſum of ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any declaration, plea, replication, rejoinder, demurrer, or other pleadings whatſoever in any court of law, ſhall be engroſſed or written, the ſum of one penny; for every ſkin or piece of vellum or parchment, piece or ſheet of paper upon which any copy thereof ſhall be written or engroſſed, the ſum of one penny; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which any depoſitions taken in the court of chancery or court of exchequer (except the paper drafts of depoſitions taken by virtue of any commiſſion before they are engroſſed) which are not herein before charged, or upon which

any copy of any bill, anſwer, plea, demurrer, replication, rejoinder, interrogatory, depoſitions, or any other proceedings whatſoever in any court of equity, ſhall be engroſſed or written, the ſum of one penny; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which a copy, atteſted by the proper officer of the prerogative court, or any eccleſiaſtical court, of any will ſhall be engroſſed or written, the ſum of one penny; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, upon which ſhall be engroſſed or written any certificate or debenture for drawing back any cuſtoms or duties for or in reſpect of the reſhipping or exporting of any goods or merchandizes, which at any time or times from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine to the twenty fourth day of June one thouſand ſeven ſeven hundred and eighty inclusive ſhall be exported, or ſhipped to be exported, from the kingdom of Ireland for any parts beyond the ſeas, to be paid by the perſon for whoſe benefit or at whoſe inſtance ſuch debenture or certificate ſhall be obtained, the ſum of four pence; for every almanack or calendar for any one particular year, or for any time leſs than a year, which ſhall be printed on one ſide only of any one ſheet or piece of paper only, the ſum of one penny; for every other almanack or calendar for any one particular year the ſum of two pence.

II. Provided always, That nothing in this act contained ſhall be conſtrued to extend to charge any calendar or perpetual almanack in any bible or common prayer book, or to charge any other calendar or almanack with more than the duty, that would be payable by this act for ſuch other calendar or almanack, in caſe it were made for three years only.

III. Provided that for every printed almanack or calendar, made to ſerve for ſeveral years, the reſpective rates aforeſaid ſhall be paid for every ſuch year; for all papers containing publick news, intelligence, or occurrences, a duty of one halfpenny for every ſheet and piece of paper leſs than a ſheet, on which ſuch news, intelligence, or occurrences, ſhall be printed; for every pamphlet or paper not exceeding ſix ſheets in octavo, or in a leſſer page, or not exceeding twelve ſheets in quarto, or twenty ſheets in folio, ſo printed, a duty after the rate of one ſhilling ſterling for every ſheet of any kind of paper, which ſhall be contained in one printed copy or impreſſion thereof; for every advertiſement to be contained in or publiſhed with any gazette, news paper, or journal, to be publiſhed weekly or oftner, or in any other printed paper or pamphlet whatſoever, being diſperſed or made publick yearly, monthly, or at any other interval of time, the ſum of two pence.

IV. And be it further enacted by the authority aforeſaid, That every deed, inſtrument, note, memorandum, letter, or other muniment or writing, for or relating to the payment of any ſum of money, or for making any valuable conſideration for or upon the loſs of any ſhip, veſſel, goods, wages, money, effects, or upon any loſs by fire, or for any loſs whatſoever, or for or upon any life or lives, ſhall be conſtrued, deemed, and adjudged to be policies of aſſurance within the meaning of this act.

V. And be it further enacted by the authority aforeſaid, That every deed, inſtrument, note, memorandum, letter, or other muniment or writing, between the captain or maſter, or owner of any ſhip or veſſel, and any merchant, trader, or other perſon, in reſpect to the freight or conveyance of any money, goods, wares, merchandizes, or effects, laden, or to be laden on board of any ſuch ſhip or veſſel, ſhall be deemed and adjudged to be a charter party within the meaning of this act.

VI. And for preventing abuſes committed by arreſting perſons without any writ or legal proceſs to juſtify the ſame, by means whereof the duty, hereby given to the crown upon ſuch proceſs, will be loſt, be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine every officer or clerk belonging, or that ſhall hereafter belong, to the court of king's bench, common pleas, or exchequer,

A. D. 1779-80. Chap. 3.

who ſhall ſign any writ or proceſs before judgment to arreſt any perſon or perſons, thereupon, ſhall at the ſigning thereof ſet down upon ſuch writ or proceſs the day and year of the ſigning the ſame; which ſhall be entered upon the remembrance roll, or in the book where the abſtract of ſuch writ or proceſs ſhall be entered, upon pain to forfeit the ſum of ten pounds for every offence or neglect of ſuch officer or clerk aforeſaid; to be recovered by any perſon who ſhall ſue for the ſame in any court of record of your Majeſty, your heirs or ſucceſſors, by action of debt, bill, plaint, or information, wherein no wager of law, protection, or eſſoign, or more than one imparlance ſhall be allowed.

VII. And be it further enacted by the authority aforeſaid, That all books and pamphlets, ſerving chiefly for the purpoſe of an almanack, by whatſoever name or names entitled or deſcribed, are and ſhall be charged with the duty impoſed by this act on almanacks, but not with any of the duties charged by this act on pamphlets, or any other printed papers; any thing herein contained to the contrary notwithſtanding.

VIII. Provided always, That this act, or any thing therein contained ſhall not extend to charge any bills of exchange, accounts, bills of parcels, bills of fees, or any bills or note (not ſealed) for payment of money at ſight, or upon demand, or at the end of certain days of payment.

IX. Provided alſo, That nothing in this act contained, ſhall extend to charge the probate of any will or letters of adminiſtration of any common ſeaman or ſoldier, who ſhall be ſlain or die in your Majeſty's ſervice, a certificate being produced from the captain or commander of the ſhip or veſſel, or captain or commanding officer of the troop or company under whom ſuch ſeaman or ſoldier ſerved at the time of his death, and oath (or if by a quaker a ſolemn affirmation) ſhall be made of the truth thereof before the proper judge or officer, by whom ſuch probate or adminiſtration ought to be granted, which oath or affirmation ſuch judge or officer is hereby authorized and required to adminiſter, and for which no fee or reward ſhall be taken.

X. Provided alſo, That none of the rates, duties, or ſums of money, before in this act expreſſed, ſhall be raiſed, levied, collected, or paid, or be payable unto your Majeſty by virtue of this act, by any perſon or perſons that ſhall be admitted to ſue or defend in *forma pauperis*, ſo far as relates to the ſuit, in which he or they ſhall be ſo admitted to ſue or defend.

XI. Provided alſo, That this act, or any clauſe therein contained, ſhall not be conſtrued to charge with any duty any warrant made by, or recognizances taken before any juſtice or juſtices of the peace, or any proceedings of any court martial which relate to any trial of any common ſoldier, but ſuch warrants, recognizances, and proceedings, ſhall and are hereby declared to be exempted from the payment of any of the duties before mentioned in this act.

XII. Provided alſo, That this act ſhall not extend to charge any acts of Parliament, proclamation, order of council, forms of prayer and thankſgiving, or any acts of ſtate, which ſhall be ordered by your Majeſty, your heirs or ſucceſſors, or by the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being, to be printed, or the printed votes, or other matters which are or ſhall be ordered to be printed by either houſe of Parliament, with any of the ſaid duties on pamphlets or news papers, or to charge any books commonly uſed in any of the ſchools of Ireland, or any books containing only matters of devotion or piety, with the ſaid duties on pamphlets, or to charge any ſingle advertiſement printed by itſelf, or the daily accounts, or bills of goods imported and exported, or the weekly bills of mortality (ſo as ſuch accounts or bills do contain no other matters, than what have been uſually comprized therein) with any the duties aforeſaid; any thing herein contained to the contrary notwithſtanding.

XIII. And be it further enacted by the authority aforeſaid, That for the better and more effectual levying, collecting, and paying unto your Majeſty, your heirs and ſucceſſors,

ſucceſſors, the ſeveral and reſpective duties hereby granted, it ſhall and may be lawful for your Majeſty, or the lord lieutenant, or other chief governor or governors of this kingdom for the time being, from time to time to nominate and appoint ſuch perſons, as your Majeſty, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, ſhall think fit, to be commiſſioners or officers for the ſtamping and marking of parchment, vellum, and paper, and managing the duties thereupon; and that the commiſſioners ſo to be appointed, ſhall keep their head office in ſome convenient place within the city of Dublin: And the ſaid commiſſioners, or the major part of them, are hereby empowered under their hands and ſeals to appoint ſuch other inferior officers with the conſent and approbation of the lord lieutenant, or other chief governor or governors of this kingdom for the time being, for the marking or ſtamping of vellum, parchment, and paper, or for the better collecting or levying the duties hereby granted to your Majeſty, your heirs and ſucceſſors, as they in their diſcretion ſhall think proper.

XIV. Provided always, and be it further enacted by the authority aforeſaid, That the ſeveral commiſſioners and officers for the ſtamping or marking vellum, parchment, and paper, and managing the duties thereupon, appointed by his excellency the late lord lieutenant in purſuance of an act paſſed in the thirteenth and fourteenth years of your Majeſty's reign, entitled, *An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon vellum, parchment, and paper*, and alſo by one other act, paſſed in the ſeſſion of Parliament holden in the fifteenth and ſixteenth years of his Majeſty's reign, entitled, *An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper*, and alſo by one other act holden in the ſeventeenth and eighteenth years of your Majeſty's reign, entitled, *An act for granting unto his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper*, and the ſeveral inferior officers appointed by the ſaid commiſſioners in purſuance of the ſaid acts, as alſo ſuch other commiſſioners and officers as ſhall be hereafter appointed purſuant to this act, ſhall, during the continuance of this act, for the more effectual levying the ſeveral duties hereby granted continue to act in the ſeveral offices to which they have been or ſhall be ſo appointed, in like manner, with the ſame powers and authorities, and ſubject to the ſame reſtrictions and limitations, as are mentioned in the ſaid recited acts, or one of them, unleſs they ſhall be ſooner removed from ſuch offices by the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being, or by the ſaid commiſſioners, with the conſent and approbation of the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being.

XV. And be it further enacted by the authority aforeſaid, That the ſeveral types, marks, or ſtamps, already provided by the ſaid commiſſioners for the ſeveral and reſpective duties granted by the ſaid recited act, ſhall continue to be uſed for the ſtamping and impreſſing of all vellum, parchment, and paper, on which any of the ſeveral and reſpective things herein before charged ſhall be engroſſed or written; and that the ſaid types, marks, or ſtamps, or any of them, ſhall or may be altered, or renewed from time to time, as your Majeſty, your heirs and ſucceſſors, or the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being, ſhall think fit, ſo as publick notification thereof be given by proclamation, to be iſſued under the great ſeal of Ireland, a convenient time before the ſaid types, marks, or ſtamps, ſhall be altered or renewed, to the end that all perſons may have due notice thereof. And that all courts of juſtice and judges whatſoever ſhall without any allegation or proof on that behalf take judicial notice of the ſeveral types, marks, and ſtamps, heretofore appointed by virtue of the ſaid recited acts, and of all types, marks, and ſtamps, which ſhall or may be hereafter publiſhed by virtue of any proclamation or proclamations, which ſhall or may be iſſued as and for the true and lawful types, marks, and ſtamps, to be made uſe of in purſuance of this act.

A. D. 1779-80. Chap. 3.

XVI. And be it further enacted by the authority aforesaid, That the commissioners in providing types, marks, and stamps from time to time shall take care, they be so contrived, that the impression thereof may be durable, and that the same may be least liable to be forged or counterfeited.

XVII. And be it further enacted by the authority aforesaid, That the commissioners heretofore constituted or hereafter to be constituted by your Majesty, your heirs or successors, or by the lord lieutenant or other chief governor or governors of this kingdom for the time being as aforesaid, shall and may from time to time, as they shall see occasion, appoint a fit person to attend in any court or office to take notice of the vellum, parchment, or paper, upon which any of the matters or things aforesaid shall be engrossed, written, or put, and of the marks or stamps thereupon, and of all other matters and things tending to secure your Majesty's duties arising by this act; and that the judges in the several courts, and such others to whom it may appertain, at the request or requests of the said commissioners, or of any two or more of them, shall make such orders in the respective courts, and do such other matters and things for the better securing of the said duties, as shall be lawfully and reasonably desired in that behalf; and that every commissioner and other officer hereafter to be appointed, before he proceeds to the execution of this act, shall take the oath following, that is to say:

I. A. B. do swear, that I will faithfully execute the trust reposed in me pursuant to an act of Parliament, entitled, An act for granting to his Majesty, his heirs and successors several duties upon stamped vellum, parchment, and paper, *without fraud or concealment, and will from time to time true account make of my doings therein, and deliver the same to such person or persons, as his Majesty, his heirs or successors, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, both appointed, or hereafter shall appoint, to receive such account, and will take no fee, reward, or profit for the execution or performance of the said trust, or the business relating thereunto, from any person or persons, other than such as shall be allowed by his Majesty, his heirs or successors, or by some other person or persons for that purpose authorized by his Majesty, or by the lord lieutenant or other chief governor or governors of this kingdom for the time being.*

And such oath shall and may be administered to any such commissioner or commissioners by any two or more of the same commissioners, whether they have taken the same previously or not; and any of the said commissioners, or any justice of the peace within the kingdom of Ireland, shall and may administer the like oath to any subordinate officer.

XVIII. And be it further enacted by the authority aforesaid, That the said commissioners, and other officers heretofore appointed or hereafter to be appointed as aforesaid, and all officers employed, or to be employed, or intrusted by or under them as aforesaid, shall from time to time in and for the better execution of their several places and trusts observe and perform such rules, methods, and orders, as they respectively have received or shall receive from time to time from the lord lieutenant or other chief governor or governors of this kingdom for the time being; and that the said commissioners shall take special care, that the several parts of this kingdom from time to time be sufficiently furnished with vellum, parchment, and paper, stamped or marked as aforesaid, so as your Majesty's subjects may have it in their election to buy the same of the officers or persons to be employed by the said commissioners at the usual or most common rates above the said duty, or to bring their own vellum, parchment, or paper to be stamped as aforesaid, or to furnish themselves or others that shall have done the same.

XIX. And to the end that your Majesty may not be defrauded of any of the duties hereby granted, be it further enacted by the authority aforesaid, That all records, writs, pleadings, and other proceedings, in courts of law and equity, and all deeds, instruments, and writings whatsoever, hereby charged, shall be engrossed

or written in such manner, as they have been usually accustomed to be written, or are now written.

XX. And be it further enacted by the authority aforesaid, That all writings, matters, and things, in respect whereof any of the said duties shall be payable, and which shall be engrossed or written after the said twenty fifth day of December, one thousand seven hundred and seventy nine, shall be written in such manner, that some part thereof shall be either upon, or as near as conveniently may be, to the stamps or marks, which shall in pursuance of this act be placed on the vellum, parchment, or paper, whereupon the same shall be written or engrossed, upon pain that the person who shall write or engross, or cause to be written or engrossed, any such writing, matter, or thing contrary to the tenor and true meaning hereof, shall for every such offence forfeit the sum of ten pounds, with full costs of suit.

XXI. And be it further enacted by the authority aforesaid, That all vellum, parchment, and paper, hereby intended to be charged with the several and respective duties aforesaid, shall, before any of the matters or things herein before mentioned be thereupon engrossed or written, be brought to the head office aforesaid to be stamped and marked; and the said commissioners and officers are hereby required upon demand of the person or persons so bringing the same forthwith without fee or reward to stamp or mark any quantities or parcels of vellum, parchment, or paper so brought, such person or persons paying to such officer or officers, as shall be appointed in that behalf, the respective duties hereby directed to be paid for the same.

XXII. And be it further enacted by the authority aforesaid, That if any person or persons shall be arrested from and after the twenty fifth day of December one thousand seven hundred and seventy nine, by any writ, bill, or process issuing out of any of your Majesty's courts of record in Dublin, at the suit of any common person, and the sheriff or other officer shall take bail from such person, against whom such writ, bill, or process is taken out, the sheriff or other officer at the request and costs of the plaintiff in such action or suit, or his lawful attorney, shall assign to the plaintiff in such action the bail bond, or other security taken from such bail, by endorsing the same, and attesting it under his hand and seal, in the presence of two or more credible witnesses, which may be done without any stamp, provided the assignment so endorsed, be duly stamped before any action be brought thereupon; and also that from and after the twenty fifth day of December, one thousand seven hundred and seventy nine, all sheriffs and other officers having authority to grant replevins, when and as often as it shall become necessary for such sheriff or other officer to assign any bond of any plaintiff in replevin to the avowant, such assignment may be made without any stamp, provided the assignment so made be duly stamped before any action brought thereupon.

XXIII. And be it further enacted by the authority aforesaid, That if any commissioner or other officer, appointed or to be appointed as aforesaid, shall fix any such mark or stamp to any vellum, parchment, or paper, before the several and respective duties thereupon charged by this act shall be duly answered and paid, or be secured to be paid to your Majesty's use, he shall for every such offence forfeit the sum of one hundred pounds; one moiety thereof to your Majesty, your heirs and successors, and the other moiety to him or them that shall inform or sue for the same in any of your Majesty's courts of record.

XXIV. And be it further enacted by the authority aforesaid, That if any person or persons hath or have engrossed or written, or caused to be engrossed or written, at any time since the commencement of the said recited acts, or shall at any time hereafter engross or write, or cause to be engrossed or written, upon any vellum, parchment, or paper, any of the matters or things, for which the said vellum, parchment, or paper was chargeable by the said recited acts, or is hereby charged to pay any duty, before such time as the said vellum, parchment, or paper hath been or shall be marked or stamped as aforesaid, or upon which there was not

A. D. 1779-80. Chap. 3.

or ſhall not be ſome ſtamp or mark reſembling the ſame, or hath or have engroſſed or written, or cauſed to be engroſſed or written, or ſhall engroſs or write, or cauſe to be engroſſed or written, any matter or thing upon any vellum, parchment or paper, that hath been or ſhall be ſtamped or marked for any lower duty, than the duty by the ſaid recited acts or this act payable for what hath been or ſhall be ſo engroſſed or written, then and in every ſuch caſe there ſhall be duly anſwered and paid to your Majeſty, your heirs or ſucceſſors, over and above the duty aforeſaid, for every ſuch deed, inſtrument, or writing, the ſum of ten pounds; and no ſuch record, deed, inſtrument, or writing ſhall be pleaded or given in evidence in any court, or admitted in any court to be good or available in law or equity, until as well the ſaid duty as the ſaid ſum of ten pounds ſhall be firſt paid to your Majeſty's uſe, and a receipt produced for the ſame under the hand or hands of ſome of your Majeſty's officers appointed to receive the duties above mentioned, and until the vellum, parchment, or paper, on which ſuch deed, inſtrument, or writing, hath been or ſhall be written or made, ſhall be marked or ſtamped with a lawful mark or ſtamp; and the proper officer and officers are hereby enjoined and required, upon payment or tender of the ſaid duty and ſum of ten pounds, unto him or them, to give a receipt for the ſame, and to mark or ſtamp the ſaid vellum, parchment, or paper, with the mark or ſtamp that ſhall be proper for ſuch deed, inſtrument, or writing reſpectively.

XXV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall engroſs or write, or cauſe to be engroſſed or written, upon any vellum, parchment, or paper, any of the matters or things for which the ſaid vellum, parchment, or paper is hereby charged to pay any duty, before ſuch time as the ſaid vellum, parchment, or paper, ſhall be marked or ſtamped as aforeſaid, or upon which there ſhall not be ſome ſtamp or mark reſembling the ſame, or ſhall engroſs or write, or cauſe to be engroſſed or written, any matter or thing upon any vellum, parchment, or paper, that ſhall be marked or ſtamped for any lower duty, than the duty by this act payable for what ſhall be ſo engroſſed or written; ſuch perſon ſo offending ſhall for every ſuch offence forfeit the ſum of five pounds, one moiety thereof to your Majeſty, your heirs and ſucceſſors, and the other moiety to him or them that will inform or ſue for the ſame.

XXVI. And be it further enacted by the authority aforeſaid, That in caſe any clerk, officer, or perſon, who in reſpect of any publick office or employment is or ſhall be entitled or intruſted to make, engroſs, or write any records, deeds, inſtruments, or writings, by this act charged to pay a duty as aforeſaid, ſhall be wilfully guilty of any fraud or practice to deceive your Majeſty of any duty by this act payable by making, engroſſing, or writing any ſuch record, deed, inſtrument, or writing, or by cauſing the ſame to be made, engroſſed, or written, upon vellum, parchment, or paper, not marked or ſtamped according to this act, or upon which there ſhall not be ſome ſtamp or mark reſembling the ſame, or upon vellum, parchment, or paper, marked or ſtamped with any mark or ſtamp, which he ſhall know to be counterfeited, or by wilfully engroſſing or writing any ſuch deed, inſtrument, or other writing, upon vellum, parchment, or paper, which he ſhall know to be marked or ſtamped for a lower duty as aforeſaid, then every ſuch clerk, officer, or perſon ſo guilty of any ſuch fraud or practice, and being thereof lawfully convicted, ſhall forfeit his office, place, or employment reſpectively, and be diſabled to hold or enjoy the ſame for the future; and if any attorney belonging to any court whatſoever ſhall wilfully be guilty of any ſuch fraud or practice as aforeſaid, and be convicted thereof, he ſhall be diſabled for the future to practice as an attorney.

XXVII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall write or engroſs, or cauſe to be written or engroſſed, either the whole or any part of any matter or thing, in reſpect whereof any duty is payable by this act, upon any part of any piece of vellum, parchment, or paper, whereon there ſhall have been before engroſſed, written, or printed, any other matter or thing, in

reſpect

reſpect whereof any duty is payable by this act, before ſuch vellum, parchment, or paper ſhall have been again marked or ſtamped according to this act, or ſhall fraudulently eraſe or ſcrape out, or cauſe to be eraſed or ſcraped out, the name or names of any perſon or perſons, or any ſum, date, or other thing engroſſed, written or printed in ſuch inſtrument, writing, matter, or thing as aforeſaid, or fraudulently cut, tear, or get off any mark or ſtamp from any piece of vellum, parchment, or paper, or any part thereof, with intent to uſe ſuch ſtamp or mark for any other writing, matter, or thing, in reſpect whereof any duty ſhall be payable by virtue of this act, then ſo often, and in every ſuch caſe, every perſon ſo offending in any of the particulars before mentioned, ſhall for every ſuch offence forfeit the ſum of fifty pounds.

XXVIII. Provided always, and be it further enacted by the authority aforeſaid, That as often as your Majeſty, or the lord lieutenant, or other chief governor or governors of this kingdom for the time being, ſhall think fit to alter or renew the ſaid marks or ſtamps, or any of them, it ſhall be lawful for all perſons, who ſhall at that time have in their cuſtody or poſſeſſion any vellum, parchment, or paper, marked with the mark or ſtamp which ſhall have been ſo altered or renewed, upon which none of the matters or things hereby charged ſhall have been engroſſed or written, at any time within the ſpace of ſixty days after ſuch intention of renewing or altering ſhall be publiſhed by proclamation as aforeſaid, to bring or ſend ſuch vellum, parchment, or paper unto the ſaid commiſſioners to the head office in the city of Dublin, or to ſuch other officers appointed as aforeſaid; and the ſaid commiſſioners and officers reſpectively are hereby required to deliver, or cauſe to be delivered, unto the ſeveral perſons, who ſhall ſo bring and deliver any quantity of vellum, parchment, or paper, the like quantity of vellum, parchment, or paper, and as good in quality, ſtamped with ſuch new ſtamp or mark, without demanding or taking directly or indirectly for the ſame any ſum of money or other conſideration whatſoever, under the penalty of forfeiting for every offence one hundred pounds; to be ſued for, recovered, and divided, in ſuch manner as the other penalties in this act are directed to be ſued for, recovered, and divided; and in caſe any perſon ſhall neglect or refuſe within the time aforeſaid to bring or cauſe to be brought and delivered unto the ſaid commiſſioners and officers as aforeſaid, all ſuch vellum, parchment, or paper, the ſame is hereby declared to be of no other effect or uſe, than if it had never been ſtamped; and that all matters or things, which ſhall after that time be engroſſed or written thereon, ſhall be of no other effect, than if they had been engroſſed or written on vellum, parchment, or paper, not marked or ſtamped at all; and all perſons, who ſhall engroſs or write any of the matters or things hereby charged on ſuch vellum, parchment, or paper, after the ſaid time, ſhall forfeit and ſuffer, as herein before is enacted for perſons writing or engroſſing on vellum, parchment, or paper, not marked or ſtamped.

XXIX. Provided always, and be it further enacted by the authority aforeſaid, That as often as your Majeſty, your heirs or ſucceſſors, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, ſhall think fit to alter the ſaid ſtamps, or any of them, the proclamation, which is hereby intended to be made for the giving all perſons due notice thereof, ſhall within twenty days after the date thereof be ſent to the mayor, chief magiſtrate, or other head officer of every city, corporation, borough, and market town throughout the kingdom of Ireland; which officers reſpectively ſhall cauſe the ſame to be publiſhed to the inhabitants of ſuch city, corporation, borough, or town, either on the next market day, or next Sunday in the church immediately after the time of divine ſervice, upon pain of forfeiting the ſum of fifty pounds; to be ſued for by action of debt, bill, plaint, or information in any of your Majeſty's courts of record at Dublin, wherein no eſſoign, protection, wager of law, privilege, or more than

A. D. 1779-80. Chap. 3.

one imparlance ſhall be granted or allowed; the one moiety of which forfeiture to be to your Majeſty, your heirs and ſucceſſors, the other moiety to ſuch perſon who ſhall ſue for the ſame.

XXX. And for the better diſtribution of the ſaid vellum, parchment, and paper, and that your Majeſty's ſubjects may have the ſame with more convenience, and at an eaſy rate, be it further enacted by the authority aforeſaid, That the lord lieutenant, or other chief governor or governors of this kingdom for the time being, ſhall once in every year at leaſt ſet the prices of all ſorts of ſtamped vellum, parchment, or paper, at which the ſame ſhall be ſold; and that the ſaid commiſſioners for managing the ſaid duties upon vellum, parchment, and paper, ſhall ſtamp the ſaid price ſo ſet upon every ſkin or piece of vellum or parchment, or ſheet or piece of paper, ſo by them to be ſold; and that the ſaid commiſſioners ſhall likewiſe allow and pay to every perſon, that ſhall bring vellum, parchment, or paper, to the ſaid head office to be ſtamped in purſuance of this act, the duties whereof hereby impoſed ſhall amount to the ſum of ten pounds or upwards, after the rate of ſix pounds in the hundred pounds *per annum* for ſix months, upon preſent payment of the ſaid duty upon the ſaid vellum, parchment, or paper ſo by them brought; and that any perſon or perſons, who ſhall buy of the ſaid commiſſioners or their agents vellum, or parchment, or paper, at the head office for ſtamping the ſame, the duty whereof ſhall amount to the like ſum of ten pounds or upwards, ſhall have the ſame allowance for preſent payment.

XXXI. Provided always, That all vellum, parchment, and paper, which ſhall have been ſtamped or marked, and ſhall have paid the duties granted by virtue of the ſaid recited acts, ſhall and may be uſed for the purpoſes thereby intended, without any additional ſtamp, mark, or duty, any thing in this act to the contrary notwithſtanding.

XXXII. And for the better collecting and ſecuring the duties hereby charged on pamphlets, be it further enacted by the authority aforeſaid, That one printed copy of every ſuch pamphlet, which from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, ſhall be printed or publiſhed within the city of Dublin, ſhall within the ſpace of ſix days after the printing thereof be brought to the ſaid head office for marking or ſtamping of vellum, parchment, and paper, and the title thereof, with the number of ſheets contained therein, and the duty hereby charged thereon, ſhall be regiſtered in or entered in a book to be there kept for that purpoſe, which duty ſhall be thereupon paid to the proper officer or officers appointed to receive the ſame, or his or their deputy or clerk, who ſhall thereupon forthwith give a receipt for the ſame on ſuch printed copy, to denote the payment of the duty hereby charged on ſuch pamphlet; and that one printed copy of every ſuch pamphlet, that ſhall be printed or publiſhed in any place, not being within the city of Dublin, laſt before mentioned, ſhall within the ſpace of fourteen days after the printing thereof be brought to ſome head collector of the ſaid ſtamp duties, who is hereby required forthwith to enter the title thereof, with the number of ſheets contained therein, and the duty hereby charged thereon, in a book to be by him kept for that purpoſe, which duty ſhall be thereupon paid to ſuch collector, who ſhall thereupon give a receipt for the ſame on ſuch printed copy.

XXXIII. And be it further enacted by the authority aforeſaid, That if any ſuch pamphlet ſhall be printed or publiſhed, and the duty hereby charged thereon ſhall not be duly paid, and the title and number of ſheets thereof ſhall not be regiſtered, and a receipt for ſuch duty given on one copy thereof, within the reſpective times herein before for theſe ſeveral purpoſes limited, then the printer and publiſher, and all other perſons concerned in or about the printing or publiſhing of ſuch pamphlet, ſhall for every ſuch offence forfeit the ſum of twenty pounds.

XXXIV. And be it further enacted by the authority aforeſaid, That no printer or any other perſon or perſons whatſoever, ſhall publiſh any news paper, intelligence, or occurrences, or any paper ſerving the purpoſe of a news paper, intelligence, or occurrences, before he or they ſhall have entered into ſecurity for the payment of the duty on advertiſements, which ſhall be printed therein or thereupon, upon pain that every perſon ſo offending herein ſhall for every ſuch offence forfeit the ſum of twenty pounds.

XXXV. And be it further enacted by the authority aforeſaid, That no perſon whatſoever ſhall ſell or expoſe to ſale any ſuch pamphlet, or any news paper, without the true reſpective name or names, and place or places of abode, of ſome known perſon or perſons, by or for whom the ſame was really and truly printed or publiſhed, written, or printed thereon, upon pain that every perſon offending herein ſhall for every ſuch offence forfeit the ſum of twenty pounds.

XXXVI. And be it further enacted by the authority aforeſaid, That no officer appointed for diſtributing ſtamped vellum, parchment, or paper in this kingdom, ſhall ſell or deliver any ſtamped paper for printing any publick news, intelligence, or occurrences to any perſon, unleſs ſuch perſon ſhall give ſecurity to the ſaid officer for the payment of the duties for the advertiſements, which ſhall be printed therein or thereupon.

XXXVII. And in regard of the uncertainty how many copies of the ſaid printed news papers may be ſold, and to the intent the duties hereby granted thereupon may not be leſſened by printing a leſſer number, than may be ſold, out of fear of loſs thereby in printing more ſuch copies than may happen to be ſold, it is hereby provided, and be it further enacted by the authority aforeſaid, That the commiſſioners for managing the ſaid ſtamp duties, or the major part of them, or the head officer appointed for the time being in that behalf, ſhall and may cancel or cauſe to be cancelled all the ſtamps upon the copies of any impreſſion of ſuch news paper, which ſhall really and truly remain unſold in the hands of the perſon or perſons, by or for whom the ſame ſhall be printed or publiſhed; and upon oath or oaths (or if by a quaker upon ſolemn affirmation) made before the ſaid commiſſioners, or any one of them, or ſuch head officer, to the ſatisfaction of ſuch commiſſioners or head officer, that all ſuch copies containing the ſtamps, ſo tendered to be cancelled, are really and truly remaining unſold in the hands of the perſon or perſons, by or for whom the ſame were printed or publiſhed, and that none of the ſaid copies have been fraudulently returned or rebought, after the ſame ſhall have been ſold or diſpoſed of, or any profit or advantage made thereof, which oath or affirmation the ſaid commiſſioners, or any one of them, and the ſaid head officers reſpectively, are hereby authorized to adminiſter, and to examine upon oath or affirmation into all circumſtances relating to the ſelling or diſpoſing of ſuch printed copies, ſhall and may deliver, or cauſe to be delivered, the like number of other ſheets, half ſheets, or leſs pieces of paper, properly ſtamped with the ſame reſpective ſtamps, upon payment made for ſuch paper; but no duty ſhall be taken for the ſtamps thereon.

XXXVIII. And be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, it ſhall be lawful for all perſons, who ſhall at any time have in their cuſtody or poſſeſſion any ſtamped vellum, parchment, or paper written or engroſſed, which ſhall be inadvertently and undeſignedly ſpoiled, obliterated, or by any other means rendered unfit for the purpoſe intended, before the ſame is executed by any party or parties, and which in either caſe ſhall not have been uſed for any other purpoſe, or in any other manner whatſoever, nor any money or other conſideration paid or given to the attorney, ſolicitor, or other perſon, employed to tranſact

A. D. 1779-80. Chap. 3.

the business intended to have been carried into execution by such writing or engrossment, or to the writer or engrosser thereof, for the duty or duties marked, stamped, or impressed thereon, to bring or send such stamped vellum, parchment, or paper, unto the said commissioners of the stamp duties at their head office in Dublin, and upon oath (or if by a quaker upon solemn affirmation) made to the satisfaction of the said commissioners, (which oath or affirmation the said commissioners are, or any one of them is, hereby authorized to administer) that such stamped vellum, parchment, or paper, so written or engrossed upon, or spoiled, obliterated, or by any other means rendered unfit for the purpose intended, hath not been executed by any party or parties, or used for any other purpose, or in any other manner whatsoever, and that no money or other consideration hath been paid or given for the duty or duties marked, stamped, or impressed thereupon, (save and except the money first paid for such duty or duties to the said commissioners, or the receiver general of the stamp duties, or other proper officer appointed to collect and receive the same) the said commissioners are hereby required to stamp and mark, or cause to be stamped and marked, for the several persons, who shall so bring and deliver any quantity of stamped vellum, parchment, or paper, so written or engrossed upon, spoiled, obliterated, or by any other means rendered unfit for use or service, the like quantity of vellum, parchment, or paper, with the several and respective duties, stamped, marked, or impressed, on the vellum, parchment, or paper, so written or engrossed upon, spoiled, obliterated, or by any other means rendered unfit for use or service, without demanding or taking directly or indirectly for the same any sum of money or other consideration whatsoever; and the said commissioners for managing the stamp duties for the time being are hereby impowered from time to time to make such rules and orders for regulating the methods and limiting the times for such cancelling and allowance as aforesaid with respect to such news papers and other matters, as they shall upon experience and consideration of the several circumstances find necessary or convenient for the effectual securing the duties thereon, and doing justice to the persons concerned therein.

XXXIX. Provided always, and be it further enacted by the authority aforesaid, That the said commissioners and other officers for managing the stamp duties shall and may deliver to any person, by or for whom any almanack or almanacks shall be printed, paper marked or stamped according to the true intent and meaning hereof for the printing such almanack or almanacks upon his or her giving sufficient security to pay the amount of the duties hereby charged thereon within the space of three months after such delivery; and that the said commissioners and officers, upon bringing to them any number of the copies of such almanacks within the space of three months from the said delivery, and request to him or them in that behalf made, shall cancel all the stamps upon such copies, and abate to such person so much of the money due upon such security, as such cancelled stamps shall amount to.

XL. Provided always, That where any almanack shall contain more than one sheet of paper, it shall be sufficient to stamp only one of the sheets or pieces of paper, upon which such almanack shall be printed, and to pay the duty accordingly.

XLI. And be it further enacted by the authority aforesaid, That from and after the said twenty fifth day of December, one thousand seven hundred and seventy nine, in case any person or persons shall sell, hawk, carry about, utter, or expose to sale any almanack or calendar, or any news paper, or any book, pamphlet, or paper, deemed, or construed to be, or serving the purpose of an almanack or a news paper within the intention and meaning of this act, not being stamped or marked as by this act is directed, every such person shall for every such offence forfeit the sum of forty shillings; to be recovered in a summary way before any justice of the peace, who is hereby authorized to hear and determine the same; and upon due proof and default of payment of the said penalty to commit the offender

to

to prison for any time not exceeding one month without bail or mainprize, which said penalty shall be to the sole use and benefit of the person or persons who shall without fraud or covin first sue for the same.

XLII. And be it further enacted by the authority aforesaid, That from and after the twenty fifth day of December one thousand seven hundred and seventy nine, all and every person and persons, who shall print or publish, or cause to be printed or published, any advertisement or advertisements in any pamphlet, news paper, or other literary performance, shall within the space of forty days after the printing or publication of such advertisement or advertisements pay, or cause to be paid, the duty or duties thereon hereby charged to the respective persons appointed to receive the same, or to their respective deputies or clerks, the duties for all such advertisements as shall be so printed or published within the city of Dublin, and to the next adjacent head officer for the time being, appointed for the collection of the said stamp duties, the said duties hereby charged for and upon all such advertisements as aforesaid, which shall be printed or published in any place out of the limits of the said city; and the commissioners and officers last mentioned, or such of them to whom it shall appertain, are hereby required upon payment of the duties hereby charged on such advertisements, to give a receipt or receipts for the duty or duties hereby charged thereupon; and in default of such payment within the time herein before for that purpose limited, the printer or publisher of every such advertisement shall be liable to pay treble the duties before by this act chargeable thereupon, to be recovered with full costs of suit.

XLIII. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever shall at any time or times hereafter counterfeit or forge any type, mark, or stamp, to resemble any type, mark, or stamp, provided and used by virtue of the said recited acts, or which shall be provided, made, or used in pursuance of this act, or shall counterfeit or resemble the impression of the same upon any vellum, parchment, or paper, or other matter directed to be stamped, thereby to defraud your Majesty, your heirs and successors, of any of the duties hereby granted, or shall utter, vend, or sell any vellum, parchment, or paper with such counterfeit mark or impression thereupon, knowing such mark or impression to be counterfeited, then every such person so offending, and being thereof convicted in due form of law, shall be judged a felon, and shall suffer death as in cases of felony without the benefit of clergy.

XLIV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for your Majesty, and to and for the lord lieutenant, or other chief governor or governors of this kingdom for the time being, out of the duties arising by this act to cause such sum and sums of money to be expended and paid from time to time for salaries and other incident charges, as shall be necessary in and for the receiving, collecting, levying, or managing of the said duties; any thing in this act contained to the contrary notwithstanding.

XLV. And be it further enacted by the authority aforesaid, That all and every the officer and officers, who shall be concerned in the levying, collecting, and receiving the duties arising by this act, shall keep separate and distinct accounts thereof; and that the several persons, employed to collect and levy the said duties in the city or county of Dublin, shall pay the same in specie into your Majesty's treasury on the first Monday in every month, unless it be a holyday, and then the next day after which shall not be a holyday; and the several persons, employed to levy and collect the said duties in other parts of this kingdom, shall pay the same in like manner to the several collectors of the inland excise of the respective districts, in which the same shall be received and collected; which said collectors are hereby authorized and required to receive, and give receipts for the same, without fee or reward, and to keep distinct accounts thereof; and every stamp officer shall in six days after his making any payment into your

A. D. 1779-80. Chap. 3.

Majeſty's treaſury, or to any of the ſaid collectors, give notice of the amount of ſuch payments to the commiſſioners of ſtamps; and if the ſaid officers, or any of them, ſhall neglect or refuſe to pay the ſame at the time or in manner aforeſaid, or ſhall detain all or any part of the monies by them collected and received, then for ſuch offence he or they ſhall be diſmiſſed from his or their employment, and be rendered incapable to ſerve your Majeſty, your heirs and ſucceſſors, and be charged with intereſt for the monies ſo detained in their hands, after the rate of twelve pounds *per centum per annum*.

XLVI. Provided nevertheleſs, That it ſhall and may be lawful for the receiver general of the ſaid duties to retain in his hands ſuch ſum, not exceeding one month's produce of the ſaid duties, as he ſhall ſo receive, to anſwer the neceſſary demands of the ſaid office.

XLVII. And be it further enacted by the authority aforeſaid, That there ſhall be provided and kept in your Majeſty's treaſury one book, in which all monies, that ſhall be paid into the treaſury by virtue of this act, ſhall be entered and regiſtered apart and diſtinct from all other monies paid or payable to your Majeſty upon any account whatſoever.

XLVIII. And be it further enacted by the authority aforeſaid, That none of the duties granted by this act ſhall be received or collected by, or paid to the ſaid commiſſioners of ſtamps; and that the ſeveral perſons, who ſhall be reſpectively employed in receiving, collecting, or paying the ſeveral duties by this act granted, ſhall and are hereby required once in every year during the continuance of this act to exhibit their reſpective accounts thereof to the commiſſioners for taking impreſt accounts for the time being, who ſhall and are hereby from time to time reſpectively authorized and required to examine upon oath the ſaid perſons accountants, who ſhall be employed in raiſing, receiving, or collecting the ſaid duties, what ſum or ſums of money was or were by them or any of them reſpectively raiſed, collected, or received within the time of ſuch their accounts, and likewiſe what part thereof was by them or any of them paid into the receipt of your Majeſty's treaſury, or to the collectors of the inland exciſe as aforeſaid, and in making the ſaid accounts to and before the ſaid commiſſioners they are to produce proper vouchers for any ſum or ſums of money, ſo by them raiſed, received, and paid, and the ſaid commiſſioners of impreſſed accounts are hereby authorized and required finally to adjuſt and ſettle the ſaid accounts, and to give diſcharges to the ſaid ſeveral accountants.

XLIX. And be it further enacted by the authority aforeſaid, That when the accounts of the money received for the ſeveral duties ſhall have been ſo audited, the ſame ſhall be ſigned by the ſaid commiſſioners of accounts, and ſhall be at all times to the ſaid officers therein concerned a full and ſufficient warrant and diſcharge to all intents and purpoſes.

L. And be it further enacted by the authority aforeſaid, That all penalties incurred by this act, unleſs otherwiſe directed by this act, may be recovered by any perſon, who ſhall ſue for the ſame, by action of debt, bill, plaint, or information in any of your Majeſty's courts of record at Dublin, in which no eſſoign, protection, privilege, or wager of law, or more than one imparlance ſhall be allowed.

LI. And be it further enacted by the authority aforeſaid, That neither the ſix pence *per* pound, nor any other fee, ſhall be payable to or deducted or received by the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, for their own uſe, or for or on account of the iſſuing or payment of any ſum or ſums of money ariſing by, or which ſhall be received for, or on account of the aids hereby granted to your Majeſty, or of any payment to be made in purſuance of this act, but that the ſame ſhall be duly received and accounted for to your Majeſty, your heirs and ſucceſſors.

CHAP.

A. D. 1779-80.

CHAP. IV.

An Act for the Advancement of the Trade of this Kingdom.

WHEREAS it is deemed reaſonable and for the advancement of trade, and encouragement of manufacture, that all goods and merchandize the product or manufacture of this kingdom, which may by law be exported directly from this kingdom to any of the Britiſh plantations in America or the Weſt Indies, or into any of the ſettlements belonging to Great Britain on the coaſt of Africa, ſhould ſtand chargeable with and pay duties to the ſame amount, and no more, and be exported thither upon the ſame terms in reſpect of duties as goods and merchandize of the ſame denomination and quality, the product or manufacture of Great Britain, exported thence to any of the ſaid places, are now ſubject to or ſtand chargeable with, except as herein after excepted: and whereas no ſubſidy or duty is now payable in Great Britain on any goods or merchandize the product or manufacture of Great Britain upon their being exported thence to any of the ſaid places, except upon allum, lead, lead ore, tin, leather tanned, copperas, coals, wool cards, white woollen cloths, *lapis calaminaris*, ſkins of all ſorts, glew, coney hair or wool, hare's wool, hair of all ſorts, horſes, and litharge of lead: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty fifth day of December, one thouſand ſeven hundred and ſeventy nine, and until the twenty fourth day of June, one thouſand ſeven hundred and eighty inclusive, the ſeveral and reſpective cuſtoms, ſubſidies, and all other duties whatſoever payable to his Majeſty, his heirs and ſucceſſors, by any law now in force upon the exportation of any goods or merchandizes the product or manufacture of this kingdom ſhall ceaſe and determine, and be no longer due, or payable for ſo much of the ſaid goods and merchandizes, as ſhall during ſaid time be exported directly from this kingdom to any of the Britiſh plantations in America or the Weſt Indies, or any of the ſettlements belonging to Great Britain on the coaſt of Africa, except the ſeveral goods and merchandizes of the ſame denomination and quality as thoſe herein before mentioned, whereon the ſubſidy or duty payable in Great Britain upon their export thence to any of the ſaid places is ſtill payable; that is to ſay, allum, lead, lead ore, tin, leather tanned, copperas, coals, wool cards, white woollen cloths, *lapis calaminaris*, ſkins of all ſorts, glew, coney hair or wool, hare's wool, hair of all ſorts, horſes, and litharge of lead, and alſo except amber greaſe, aſhes, bacon, beef, bones not manufactured, candles, butter, live cattle of all ſorts, cheeſe, dye ſtuff of all ſorts, furs of all kinds, greaves, greaſe, guts, hog's lard, hoops, hops, horn, or tips of horns not manufactured, kelp, linen rags and ſhreads, linen yarn, oker, oars of all ſorts, pork, proviſions of all ſorts, except fiſh, corn, meal, malt, flour and grain of all ſorts, when the prices thereof exceed thoſe, on or below which a bounty is payable on export by any law or laws now in force in this kingdom, rape cakes, ſhreads or points of leather, ſoap, ſoaper's waſte, ſtaves, tallow, tongues, tin unwrought, weld, wax, and woad, bar iron, ſlit, rolled, or plated iron, or manufactured iron ware, vellum and parchment, and kid's hair.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons during the time aforeſaid to export out of any port in this kingdom to any of the ſaid places all ſuch goods and merchandize, the product or manufacture of this kingdom, as may now be lawfully exported thereto without paying any ſubſidy or other duty whatſoever other than for the goods or merchandize herein before particularly enumerated and excepted, ſo as

A. D. 1779-80. Chap. 4.

due entry be firſt made thereof at the cuſtom-houſe of the port, where the ſame ſhall be exported, in the ſame manner, and expreſſing the quantities and qualities of the reſpective goods, as was uſed and practiſed in reſpect of any goods exported before the making of this act, and ſo as the ſame be ſhipped by the proper officer for that purpoſe, and ſo as the exporter do firſt make oath before the cuſtomer, comptroller, or collector of ſuch port (which oath he is hereby impowered and required to adminiſter) that the ſaid goods are of Iriſh manufacture or product, and do alſo give ſufficient ſecurity by bond in a penalty of the value of the goods to ſuch collector, comptroller, or cuſtomer (which ſecurity any ſuch officer is hereby impowered to take in the name and to the uſe of his Majeſty, his heirs and ſucceſſors) conditioned that the ſaid goods ſhall be landed in one of the Britiſh plantations in America or the Weſt Indies, or one of the ſettlements belonging to Great Britain on the coaſt of Africa, danger of the ſeas and capture by any enemy only excepted; and upon certificate being brought to ſuch officer within eighteen months under the hand of the proper officer or officers of his Majeſty's cuſtoms at the port where the ſame ſhall be landed in the Britiſh plantations in America, or the Weſt Indies, or in any ſettlement belonging to Great Britain on the coaſt of Africa, or under the hands and ſeals of two known merchants then being at ſuch port, or of the governor or perſon preſiding at ſuch ſettlement, importing that ſuch goods or merchandizes were there landed, and teſtifying the landing thereof, or upon proof upon oath (to be adminiſtered as aforeſaid) by one credible witneſs, that ſuch goods were there landed, or periſhed at ſea, or were taken by the enemy, (the examination and proof thereof being left to the collector or other officer,) the ſaid bond ſhall be delivered to the exporter, or his or her order, to be cancelled without fee or reward; and on failure of any of the ſaid requiſites the ſaid goods ſhall be liable to the payment of ſaid duties, as if this act had not been made.

III. And whereas ſeveral allowances are given in Great Britain upon the exportation thence to any of the ſaid places of Britiſh manufactures, particularly thoſe made of ſilk, or ſilk mixed, in the nature of a drawback of or compenſation for the high duties payable there on the importation of raw and thrown ſilk: and whereas high duties are likewiſe payable in this kingdom upon the importation of raw and thrown ſilk, and it ſeems juſt and reaſonable, that allowances of the ſame nature ſhould be likewiſe given upon the exportation from hence to any of the ſaid places of any manufacture made in this kingdom of ſilk, or ſilk mixed with any other material than wool or cotton, bearing ſuch proportion to the allowances given in Great Britain upon the like articles as the duties upon the importation of raw and thrown ſilk here bear to the duties payable in Great Britain upon the importation of raw and thrown ſilk there: be it enacted by the authority aforeſaid, That the ſeveral and reſpective allowances or ſums of money hereafter in this act expreſſed ſhall be paid to any perſon or perſons, who at any time or times between the ſaid twenty fifth day of December, one thouſand ſeven hundred and ſeventy nine, and the twenty fourth day of June, one thouſand ſeven hundred and eighty, ſhall really and truly export out of this kingdom to any of the places aforeſaid by way of merchandize any of the goods or commodities of the manufacture of this kingdom herein after particularly ſpecified, and ſo in proportion for any greater or leſs quantity, (that is to ſay) for all ribbands and ſtuffs made in Ireland of ſilk only, exported as aforeſaid, the ſum of one ſhilling and ſeven pence for every pound weight avoirdupoiſe; for all ſilks and ribbands made in Ireland of ſilk mixed with gold or ſilver, and exported as aforeſaid, the ſum of two ſhillings and three half pence for every pound weight avoirdudoiſe; for all ſilk ſtockings, ſilk gloves, ſilk fringes, ſilk laces, ſtitching or ſewing ſilk, made in Ireland, and exported as aforeſaid, the ſum of eight pence for every pound weight avoirdupoiſe; for all ſtuffs made in Ireland of ſilk mixed with any other material than wool or cotton, and exported as aforeſaid, the ſum of ſix pence farthing for every pound weight avoirdupoiſe; for all wrought or manufactured gold or ſilver

plate

plate made in Ireland, and exported as aforeſaid, the ſum of ſix pence for every ounce troy weight: which ſeveral and reſpective allowances or ſums of money for each ſpecies of ſilk manufacture, or manufacture of ſilk mixed and wrought, or manufactured gold or ſilver thread, ſhall be paid and anſwered by the collector or officer of the port, from whence the ſame ſhall be exported, upon demand without taking fee or reward for the ſame on oath being made by the exporter before ſuch collector or other officer of the port, (which oath he is hereby impowered and required to adminiſter) that the ſaid goods are of Iriſh manufacture, and exported or intended to be exported to ſome of the Britiſh plantations in America or the Weſt-Indies, or into ſome of the ſettlements belonging to Great Britain on the coaſt of Africa, and not relanded or intended to be relanded in any part of Ireland, and on the exporter likewiſe giving ſufficient ſecurity to the ſaid collector or other officer of the port, (which ſecurity any ſuch officer is hereby impowered to take in the name and to the uſe of his Majeſty, his heirs and ſucceſſors) by bond in a penalty of the value of the goods, conditioned that the ſaid goods ſhall not be relanded or brought on ſhore again, but ſhall be landed in ſome of the Britiſh plantations in America, or in the Weſt Indies, or on the ſettlements belonging to Great Britain on the coaſt of Africa, danger of the ſeas and capture by an enemy only excepted, and upon a like certificate, as is herein before mentioned, being delivered to the collector or other officer as is herein before provided, every ſuch bond ſhall be delivered to the exporter, or his or her order, to be cancelled without fee or reward.

IV. And be it further enacted by the authority aforeſaid, That the ſaid ſeveral and reſpective allowances upon ſilk manufacture and manufacture of ſilk mixed ſhall and may be paid by the collector or other officer of the port out of any monies in his hands at the time, ariſing out of any of the cuſtoms, exciſe, or additional duties granted to his Majeſty, and not appropriated; and that the money ſo paid ſhall be accepted of in his account as ſo much paid to his Majeſty, and he is and ſhall be diſcharged thereof accordingly; and the ſaid allowance upon wrought or manufactured gold or ſilver plate ſhall and may be paid by the collector or other officer out of the monies ariſing from the duties granted to his Majeſty for the uſe of the corporation for promoting and carrying on the inland navigation in Ireland, and ſhall be accounted for and charged as paid for and on account of the ſaid corporation

V. And for the better preventing frauds on the entering any of the ſaid goods under a wrong denomination to the prejudice of the revenue, be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any ſearcher or other proper officer of the cuſtoms after the entry of any of the ſaid goods, and before or after the ſhipping thereof, to open and ſtrictly examine every bale, truſs, cheſt, or other package, to ſee if the goods are right entered; and if on ſuch examination the goods ſhall be found to be right entered, the officer ſhall at his charge cauſe the ſame to be repacked to the ſatisfaction of the exporter; which charge ſhall be allowed to the ſaid officer by the commiſſioners of the revenue, if they ſhall think it reaſonable; but in caſe the ſaid officer ſhall find the ſaid goods or any part thereof to have been entered under a wrong denomination, or otherwiſe wrongfully entered, whereby his Majeſty would have been defrauded in the allowance to be paid on the exportation of ſuch goods contrary to the true intent and meaning hereof, all ſuch goods ſo wrong entered ſhall and may be ſeized, and the ſame, as likewiſe the value thereof, ſhall be forfeited and loſt, and ſhall and may be proſecuted, ſued for, levied and applied, in ſuch manner and form, and by ſuch ways and means, as are preſcribed and appointed for the recovery of penalties in and by an act paſſed in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Maieſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other act or acts now in force in this kingdom.

VI. Provided always, That the ſaid allowances ſhall not be demanded or made for any of the ſaid manufactures of ſilk mixed with gold and ſilver, where they are only ſo mixed at the edges or ends of the pieces; nor for any of the ſaid manufactures of ſilk mixed with other materials, unleſs two thirds at leaſt of the ends or threads of the warp, (by which is meant the length of the piece) be either all ſilk, or mixed or twiſted with ſilk in the warp, ſo as that ſuch ſilk ſhall be obvious and apparent to the view of the officer of the cuſtoms, or unleſs the ſilk therein uſed ſhall be double the value at leaſt of the allowance intended to be obtained upon the exportation thereof; and if any diſpute ſhall ariſe concerning any of the ſaid manufactures, that is to ſay, whether the ſame was made in Ireland, or touching the quality of the goods, the *onus probandi* ſhall lie on the exporter, claimer, or owner thereof, and not on the officer.

VII. And further to prevent frauds be it enacted by the authority aforeſaid, That if any one of the ſaid ſtuffs or manufactures ſhipped to be exported, and for which an allowance is hereby made and ſhall have been paid, ſhall be relanded or unſhipped in any part of Ireland, unleſs it be in caſe of diſtreſs to ſave the goods from periſhing, in which caſe they ſhall be reſhipped, or the allowance repaid, the ſaid goods over and above the penalty of the bond, and alſo of treble the value of the ſaid goods, ſhall be forfeited, and they together with the ſaid penalties ſhall or may be ſued for, recovered, and applied in manner herein before mentioned for the recovery of the forfeiture aforementioned.

VIII. And whereas it is juſt and reaſonable, that ſeveral goods and merchandizes of the product or manufacture of Great Britain, and alſo the ſeveral foreign certificate goods which may be legally imported thence, ſhould upon exportation hence drawback the whole of the duties paid upon their importation: be it enacted by the authority aforeſaid, That if any goods or commodities of the growth, produce, or manufacture of Great Britain, which have been or ſhall be legally imported thence, (wool and woollen manufacture in all its branches and glaſs excepted) or if any foreign certificate goods which have been or ſhall be legally imported from Great Britain into this kingdom, ſhall after payment of the duties charged and payable upon the importation thereof be again exported to any of the Britiſh plantations in America, or the Weſt Indies, or into any of the ſettlements belonging to Great Britain on the coaſt of Africa, by any merchant or merchants who is or are a ſubject or ſubjects of this realm, or any other part of his Majeſty's dominions, within twenty four calendar months, or by any merchant ſtranger within twelve calendar months, after the importation thereof, and if due proof be made by certificate from the proper officer of the due entry and payment of the ſaid duties, and that all other requiſites have been performed, which are by law required in thoſe caſes, where the moiety of the ſubſidy inwards is to be repaid by virtue of an act paſſed in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tonnage, and other ſums of money unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to a book of rates hereunto annexed*, and where the duties of import exciſe are to be repaid by virtue of the ſaid act paſſed in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*; that then the whole of the ſubſidy inwards and the whole of the duties of import exciſe, and all other duties paid upon the importation thereof, ſhall without delay or reward be repaid and allowed to ſuch merchant or merchants ſo exporting the ſame to any of the ſaid places during the time aforeſaid within one month after demand thereof; and if any diſpute ſhall ariſe concerning any of the ſaid goods or merchandize, whether they be of the growth, produce, or manufacture of Great Britain, the *onus probandi* ſhall be on the exporter or perſon ſo claiming the drawback.

IX. And be it further enacted by the authority aforeſaid, That the proper officer or officers ſhall keep a ſeparate and diſtinct account of the ſeveral drawbacks and allowances given by this act; and alſo of the ſeveral duties that would have been payable on the exportation of ſuch articles, in caſe the ſeveral duties now payable thereon, and which are hereby to ceaſe and determine, had continued, in order that compenſation may be made to his Majeſty's hereditary revenue for any loſs it may ſuſtain, by means of the drawbacks propoſed to be given, or allowances to be made, or duties to be taken off by this act upon any exports from this kingdom to the Britiſh plantations in America or the Weſt Indies, or into any of the ſettlements belonging to Great Britain on the coaſt of Africa.

CHAP. V.

An Act for eſtabliſhing a Lottery, and for granting to his Majeſty a Sum of two hundred thouſand Pounds to be raiſed thereby, and for ſuch other Purpoſes as are therein mentioned.

19 & 20 G. 3. c. 10. ſ. 16.

WE your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in Parliament aſſembled, do moſt humbly beſeech your Majeſty, that towards making good ſuch deficiencies, as have ariſen or may ariſe in the aids granted heretofore or during this ſeſſion of Parliament for the ſupport of your Majeſty's government, a ſum not exceeding the ſum of two hundred thouſand pounds ſhall be raiſed by way of lottery, in ſuch manner and form as herein after directed; and for that purpoſe be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid lottery ſhall conſiſt of forty two thouſand tickets (that is to ſay) forty thouſand tickets to be paid for by the perſons contributing thereto at the rate of five pounds for each ticket, and two thouſand tickets to be given to the ſaid perſons without payment, in the manner herein after mentioned.

To raiſe 200000l. by lottery to ſupply deficiencies in aids,

conſiſting of 42000 tickets,

40000 paid for at 5l. each,

2000 without payment.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for all perſons, natives or foreigners, and all bodies politick or corporate, to contribute to the payment of the ſaid ſum of two hundred thouſand pounds by paying the price of as many tickets, as they ſhall be willing to purchaſe, at the rate of five pounds for each ticket, in manner and at the reſpective days of payment herein after limited.

All perſons and bodies may contribute by purchaſing at 5l. each.

III. And be it further enacted by the authority aforeſaid, That every ſuch contributor, ſubſcribing or ſignifying his or her conſent for that purpoſe, ſhall on or before the firſt day of January one

Every contributor to depoſit 10s. per ticket by 1ſt January 1780.

A. D. 1779-80. Chap. 5.

one thouſand ſeven hundred and eighty advance by way of depoſit to the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, the ſum of ten ſhillings per ticket, as part of the money to be paid for every ſuch ticket, and as a ſecurity for making the future payments on or before the times herein after mentioned (that is to ſay) for and in reſpect of every ſuch ticket twenty ſhillings on or before the twentieth day of February one thouſand ſeven hundred and eighty; twenty ſhillings on or before the twentieth day of March then next following; the further ſum of twenty ſhillings on or before the twentieth day of April then next following; and the further ſum of thirty ſhillings on or before the twentieth day of May then next following; making in the whole the ſum of five pounds for each ticket; and that upon ſuch payments being compleated, or otherwiſe made good by advance as hereafter mentioned, tickets ſhall be delivered, as ſoon as the ſame can be prepared, or certificates as hereafter mentioned, until the ſame ſhall be prepared, to the perſons entitled thereto, together with an additional ticket for every twenty tickets each contributor ſhall have compleated or made good the payment of, every ſuch additional ticket to be given without coſt; and that debentures bearing intereſt after the rate of four pounds *per centum per annum*, amounting to a ſum not exceeding the ſum of two hundred and ten thouſand pounds in the whole, ſhall be made out by the proper officers of his Majeſty's treaſury, and ſhall be divided into prizes, without any deduction whatſoever, for the benefit of and given to the proprietors of the fortunate tickets in the ſaid lottery on demand, or as ſoon as the ſaid debentures can conveniently be made out after the drawing of the ſaid lottery.

20s. 20th February, 20s. 20th March, 20s. 20th April, 30s. 20th May, in the whole 5l. each ticket, on payment compleated or advanced tickets delivered, or certificates, additional ticket without coſt for every 20,

debentures at 4 per cent. not exceeding 210000l. divided into prizes to the fortunate proprietors.

IV. And for eſtabliſhing a proper method for drawing ſaid lottery, be it further enacted by the authority aforeſaid, That ſuch perſons, not more than ſeven in number, as the lord lieutenant or other chief governor or governors of this kingdom for the time being ſhall nominate and appoint, ſhall be managers and directors for preparing and delivering out tickets, and to overſee the drawing of lots, and to order, do, and perform ſuch other matters and things, as are hereafter in and by this act directed and appointed by ſuch managers and directors to be done and performed; and that ſuch managers and directors ſhall meet together from time to time at the Royal Exchange in the city of Dublin or at ſome publick office or place for the execution of the powers and truſt in them repoſed by this act; and that the ſaid managers and directors, or ſo many of them as ſhall be preſent at any ſuch meeting, or the major part of them, ſhall cauſe

Chief governor to appoint not more than 7 managers,

to meet at Royal Exchange or a publick office,

books prepared at meeting, 3 columns in each leaf,

cauſe books to be prepared, in which every leaf ſhall be divided or diſtinguiſhed into three columns; and upon the innermoſt of the ſaid three columns there ſhall be printed forty two thouſand tickets, to be numbered one, two, three, and ſo onwards in an arithmetical progreſſion, where the common exceſs is to be one, until they riſe to and for the number of forty two thouſand; and upon the middle column in every of the ſaid books ſhall be printed forty two thouſand tickets of the ſame breadth and form and numbered in the like manner; and in the extreme column of the ſaid books there ſhall be printed a third rank or ſeries of tickets of the ſame number with thoſe of the other two columns, which tickets ſhall ſeverally be of an oblong figure, and in the ſaid books ſhall be joined with oblique lines, flouriſhes, or devices, in ſuch manner as the ſaid managers and directors, or the major part of them, ſhall think moſt ſafe and convenient; and that every ticket in the third or extreme column of the ſaid books ſhall have written or printed thereupon, beſides the number of ſuch ticket, words or figures to this effect, *Iriſh lottery for the year* 1780; *the bearer of this ticket will be entitled to ſuch beneficial chance, as ſhall belong thereto in the lottery to be drawn in Ireland in purſuance of an act made in the ſaid kingdom in the nineteenth and twentieth years of his Majeſty's reign.*

in 1ſt 42000 tickets printed and numbered arithmetically,

in 2d the like,

in 3d a 3d ſeries of tickets of ſame number with the other 2,

of oblong figure,

joined with oblique lines,

words printed on every ticket in 3d column.

V. And be it further enacted by the authority aforeſaid, That the ſaid managers and directors, or ſo many of them as ſhall be preſent at any ſuch meeting, or the major part of them ſo preſent, ſhall carefully examine all the ſaid books with the tickets therein, and take care that the ſame be contrived, numbered, and made according to the true intent and meaning of this act; and ſhall deliver or cauſe to be delivered the ſame books, and every or any of them, as they ſhall be examined, to the vice treaſurer or vice treaſurers, receiver general or paymaſter general, his or their deputy or deputies, taking from ſuch perſon or perſons to whom the ſame are ſo delivered an acknowledgment in writing under his or their hand or hands importing to be his or their receipt for ſuch book or books, and for ſo many tickets therein as ſhall be delivered to him or them reſpectively; that ſo the ſaid vice treaſurer or vice treaſurers, receiver general or paymaſter general, his or their deputy or deputies, may be charged to anſwer five pounds for every one of the tickets in the extreme columns, which ſhall be delivered to him or them, or for ſo many of them as he or they ſhall not deliver back to the ſaid managers or directors; and all and every ſuch officer or officers of the treaſury reſpectively is and are hereby required and directed, upon his or their receipt of every

Managers to examine carefully books and tickets,

and deliver to vice treaſurers, &c. taking receipt for ſo many,

vice treaſurers, &c anſwerable for ſo many as not redelivered 5l. each,

officers on receipt of 5l. per ticket ſhall cut out through ſaid oblique lines indentwiſe,

or any entire ſum of five pounds in full payment for a ticket from any perſon or perſons reſpectively contributing or adventuring as aforeſaid, from time to time to cut out of the ſaid book or books, ſo to be put into his or their cuſtody, through the ſaid oblique lines, flouriſhes, or devices indentwiſe in the ſaid extreme columns, ſuch tickets as ſhall be neceſſary to be delivered to the ſeveral perſons entitled thereto as aforeſaid, and alſo one further or additional ticket for every twenty tickets contributed and paid for by any one contributor, which further or additional ticket ſhall be given gratis to ſaid contributor; all and every which tickets the ſaid officer or officers of the treaſury ſhall ſign with his or their own name or names, and he or they ſhall permit the reſpective perſon or perſons ſo entitled, if it be deſired, to write his or their name or mark on the correſponding ticket or tickets in the ſame book or books; and at the ſame time the ſaid officer or officers of the treaſury ſhall deliver to ſuch perſon or perſons the ticket or tickets ſo cut off, which he, ſhe, or they are to keep and uſe for the better aſcertaining and ſecuring the intereſt which he, ſhe, or they, his, her, or their executors, adminiſtrators, ſucceſſors, or aſſigns, ſhall or may have in the drawing of the ſaid lottery.

and an additional ticket gratis to 1 contributor for 20,

and ſign their names to all,

and permit to ſign on correſponding tickets,

and deliver tickets ſo cut off.

VI. And be it further enacted by the authority aforeſaid, That the ſaid officer or officers of the treaſury on or before the firſt day of June one thouſand ſeven hundred and eighty ſhall redeliver to the ſaid managers and directors at their ſaid office or place of meeting all the ſaid books, and therein all the tickets which the ſaid officer or officers ſhall not have cut out of the ſame, and delivered to the perſons entitled thereto as aforeſaid; and ſhall then and there alſo deliver to the ſaid managers and directors a true and juſt account in writing under his or their hand or hands of all ſums of money accrued or come to the hands of ſuch officer or officers, and by him or them paid into his Majeſty's treaſury, by or for the tickets delivered or to be delivered out purſuant to this act; and that the ſaid managers and directors, or the major part of them which ſhall be preſent as aforeſaid, ſhall forthwith cauſe all the tickets of the ſaid outermoſt columns, which ſhall not have been delivered to the contributors and adventurers as aforeſaid, (if any ſuch be) to be redelivered to the vice treaſurers, receiver general, or paymaſter general, his or their deputy or deputies, into the receipt of his Majeſty's exchequer, to be by him or them ſold or diſpoſed of for raiſing money for the purpoſes in this act mentioned, or otherwiſe retained and kept.

And by 1ſt June 1780, redeliver to managers, books and tickets not cut out and delivered,

and account under their hands of all money paid into treaſury for tickets,

managers forthwith to redeliver tickets not delivered to contributors, to vice treaſurers, &c. to be diſpoſed for raiſing money for this act or retained.

VII. Provided

VII. Provided always, that if any of the ſaid tickets, or any other tickets, which, as is herein after provided, ſhall or may remain or be kept there from not having been ſo ſold or diſpoſed of, or from being forfeited, ſhall prove fortunate on the drawing of the ſaid lottery, no debenture ſhall iſſue for ſuch fortunate ticket, but the ſame, and the prize thereto belonging, be made a ſaving for the publick.

No debenture for ticket undiſpoſed or forfeited, if fortunate, the prize a ſaving to the publick.

VIII. And be it further enacted by the authority aforeſaid, that the ſaid managers and directors, or the major part of them, who ſhall be preſent at a meeting as aforeſaid, ſhall cauſe all the tickets of the middle columns in the books made out with three columns as aforeſaid, which ſhall be delivered back to them by or from the ſaid officer or officers of the treaſury as aforeſaid, to be carefully rolled up and made faſt with thread or ſilk; and the ſaid managers and directors, or the major part of them as aforeſaid, ſhall in their preſence and in the preſence of ſuch contributors or adventurers, as will be there, cauſe all the ſaid tickets, which are to be rolled up and made faſt as aforeſaid, to be cut off indentwiſe through the ſaid oblique lines, flouriſhes, or devices, into a box to be prepared for that purpoſe, and to be marked with the letter (A) which is preſently to be put up into another ſtrong box, and locked up with five different locks and keys, to be kept by as many of the ſaid managers and directors, and ſealed with their ſeals, or the ſeals of ſome of them, until the ſaid tickets are to be drawn, as is herein after mentioned; and that the tickets in the firſt or innermoſt columns of the ſaid books ſhall remain ſtill in the books for diſcovering any miſtake or fraud, if any ſhould happen to be committed contrary to the true meaning of this act.

Tickets of middle columns rolled up and made faſt in preſence of managers and contributors there,

cut off indentwiſe thro' the lines,

in a box prepared and marked (A),

put preſently into another with 5 locks and keys, kept by as many managers with their ſeals till drawn,

tickets in 1ſt column to remain for diſcovering miſtake or fraud.

IX. And be it further enacted by the authority aforeſaid, that the ſaid managers and directors, or the major part of them, which ſhall be preſent at any meeting as aforeſaid, ſhall alſo prepare or cauſe to be prepared other books, in which every leaf ſhall be divided or diſtinguiſhed into two columns, and upon the innermoſt of thoſe two columns there ſhall be printed forty two thouſand tickets, all which ſhall be of equal length and breadth, as near as may be; which two columns in the ſaid books ſhall be printed with ſome flouriſh or device, through which the outermoſt tickets may be cut off indentwiſe; and that fourteen thouſand and ſixty and five tickets, part of thoſe contained in the outermoſt columns of the books laſt mentioned, ſhall be and be called the fortunate tickets, to which benefits ſhall belong, as is herein after mentioned; and the ſaid managers and directors, or

Other books prepared, every leaf divided in 2 columns,

upon the inner 42000 tickets printed equally,

with device thro' which the outer cut off indentwiſe,

14065 in the outer the fortunate tickets,

the major part of them, or ſuch of them as ſhall be preſent at a meeting as aforeſaid, ſhall cauſe the ſaid fortunate tickets to be written upon, or otherwiſe expreſſed, as well in figures as in words at length, in manner following, that is to ſay, upon two of them ſeverally ten thouſand pounds; upon two others in like manner, five thouſand pounds; upon every one of five others of them ſeverally two thouſand pounds; upon every one of ten others of them ſeverally one thouſand pounds; upon every one of ſixteen others of them ſeverally five hundred pounds; upon every one of thirty others of them ſeverally one hundred pounds; upon every one of one hundred others of them ſeverally fifty pounds; upon every one of three hundred others of them ſeverally twenty pounds; and upon every one of thirteen thouſand ſix hundred others of them ſeverally ten pounds; which ſum, ſo to be written or otherwiſe expreſſed upon the ſaid fortunate tickets, together with two hundred pounds to be allotted to the owner of the firſt drawn ticket upon each of the firſt five days of the drawing of the ſaid lottery, and one thouſand pounds to the owner of the laſt drawn ticket, over and above the benefits which may happen to belong to the ſix laſt mentioned tickets, will amount in the whole to the ſum of two hundred and ten thouſand pounds; and the ſaid managers and directors, or the major part of them, who ſhall be preſent at a meeting as aforeſaid, ſhall cauſe all the ſaid tickets, contained in the outermoſt columns of the ſaid laſt mentioned books, to be in the preſence of the ſaid managers and directors, or the major part of them who ſhall be preſent at a meeting as aforeſaid, and in the preſence of ſuch contributors or adventurers as will then be there, to be carefully rolled up and faſtened with thread or ſilk, and carefully cut out indentwiſe through the ſaid flouriſh or device, into another box to be prepared for this purpoſe, and to be marked with the letter (B), which box ſhall be put into another ſtrong box and locked up with five different locks and keys, to be kept by as many of the ſaid managers, and ſealed up with their ſeals, or the ſeals of ſome of them, until theſe tickets alſo be drawn in the manner and form herein after mentioned; and that the whole buſineſs of rolling up, and cutting off, and putting into the ſaid boxes the ſaid tickets, and locking up and ſealing the ſaid boxes, ſhall be performed by the ſaid managers and directors, or ſuch of them as aforeſaid, before the laſt ſix days immediately preceding the day by this act appointed for the drawing the ſaid lottery; and to the end every perſon concerned may be well aſſured, that the counterpart of the ſame number with his or her ticket is put into

expreſſed as well in figures as words, upon 2 ſeverally £
10000
2, 5000
5, 2000
10, 1000
16, 500
30, 100
100, 50
300, 20
13600, 10

which with 200l. for 1ſt drawn 1ſt 5 days, and 1000l. the laſt drawn, amount to 210000l.

tickets in outer columns of laſt books in preſence of managers and contributors rolled up and faſtened, cut out indentwiſe through device, in another box marked (B) with 5 locks and keys kept by managers under ſeals till drawn,

before 6 days preceding drawing,

printed notice of time of putting

into the box marked with the letter (A), from whence the ſame may be drawn, and that other matters are done as hereby directed, ſome publick notification in print ſhall be given of the preciſe time or times of putting the tickets into the ſaid boxes, to the end that ſuch contributors or adventurers, as ſhall be minded to ſee the ſame done, may be preſent at the doing thereof.

tickets into boxes, that adventurers may be preſent.

X. And be it enacted by the authority aforeſaid, that on the twenty fourth day of June one thouſand ſeven hundred and eighty the ſaid managers and directors ſhall cauſe the ſaid ſeveral boxes with all the tickets therein to be brought into the ſaid royal exchange, or ſuch other place as ſhall be appointed by his excellency the lord lieutenant or other chief governor or governors of this kingdom for the time being, ſo that the ſame may be there and be placed on a table provided for that purpoſe by nine of the clock in the forenoon of the ſame day, and ſhall then and there ſeveraly attend this ſervice, and cauſe the two boxes, containing the ſaid tickets, to be ſeverally taken out of the other two boxes, in which they ſhall have been locked up, and the tickets or lots in the reſpective innermoſt boxes, being in the preſence of the ſaid managers and directors, of ſuch of them as ſhall be then preſent, and of ſuch contributors or adventurers as will be there, for the ſatisfaction of themſelves, well ſhaken and mingled in each box diſtinctly, ſome one indifferent and fit perſon to be appointed and directed by the ſaid managers, or the major part of them, or ſuch of them as ſhall be then preſent, ſhall take out and draw one ticket from the box, where the ſaid numbered tickets ſhall be as aforeſaid put; and one other indifferent and fit perſon to be appointed and directed in like manner ſhall take out a ticket or lot from the box, where the ſaid fourteen thouſand and ſixty and five fortunate and twenty ſeven thouſand nine hundred thirty and five blank tickets ſhall be promiſcuouſly put as aforeſaid; and immediately both the tickets ſo drawn ſhall be opened, and the number as well of the fortunate as the blank ticket ſhall be named aloud; and if the ticket taken or drawn from the box, containing the fortunate and blank lots, ſhall appear to be a blank, then the numbered ticket ſo drawn with the ſaid blank at the ſame time drawn ſhall both be put upon one file; and if the ticket, ſo drawn or taken from the box containing the fortunate and blank lots, ſhall appear to be one of the fortunate tickets, then the principal ſum written upon ſuch fortunate ticket, whatever it be, ſhall be entered by a clerk, which the ſaid managers or the major part of them as aforeſaid ſhall employ and overſee for this purpoſe, into a book

24 *June* 1780 the boxes and tickets brought to place appointed by C. Governor,

placed on a table by 9 in forenoon,

taken out of the other 2 boxes,

the tickets in preſence of managers and contributors well ſhaken

an indifferent perſon, by managers appointed, ſhall draw one from the numbered tickets,

and one other from the promiſcuous fortunate and blank tickets,

both drawn opened immediately,

the number named aloud,

if blank, both put on one file,

if fortunate, the principal ſum thereon booked by a clerk,

A. D. 1779-80. Chap. 5.

book to be kept for entering the numbers coming up with the ſaid fortunate tickets, and the principal ſums whereunto they ſhall be entitled reſpectively; and two of the ſaid managers ſhall ſet their names as witneſſes to ſuch entries; and the ſaid fortunate and numbered ticket, ſo drawn together, ſhall be put upon another file, and ſo the ſaid drawing of the tickets ſhall continue by taking one ticket at a time out of each box, and with opening, naming aloud, and filing the ſame, and by entering the fortunate lots, in ſuch method as is before mentioned, until the whole number of fourteen thouſand and ſixty and five fortunate tickets, and one more for the laſt drawn as aforeſaid, ſhall be compleatly drawn: and as the ſame cannot be performed in one day's time, the ſaid managers and directors ſhall cauſe the boxes to be locked up and ſealed in manner aforeſaid, and adjourn until the next day, and ſo from day to day, and every day (except Sundays) and then open the ſame, and proceed as above, until the ſaid whole number of fourteen thouſand and ſixty and five fortunate tickets, and one more, ſhall be drawn as aforeſaid; and afterwards, the ſaid numbered tickets ſo drawn with the fortunate tickets drawn againſt the ſame, ſhall be and remain in a ſtrong box, locked up as aforeſaid, and under the cuſtody of the ſaid managers, until they ſhall take them out to examine, adjuſt, and ſettle the property thereof.

witneſſed by 2 managers,

and both put on another file,

ſo continued till ſaid 14065 and one for the laſt compleatly drawn,

managers ſhall adjourn from day to day, except *Sundays*, locking and ſealing as aforeſaid,

numbers drawn with fortunate tickets locked in a ſtrong box under their cuſtody, till property examined and ſettled,

XI. And to the end the fortunate may know, whether abſent or preſent, to what degree they have been ſo; be it further enacted by the authority aforeſaid, that the ſaid managers ſhall, as ſoon as conveniently may be, after the ſaid drawing is over, cauſe to be printed and publiſhed the number of the tickets drawn againſt each fortunate ticket, and the principal ſum written on the ſame; and if any contention or diſpute ſhall ariſe in the adjuſting the property of the ſaid fortunate tickets, the major part of the ſaid managers agreeing therein ſhall determine, to whom it doth or ought to belong.

After drawing is over, the number againſt each fortunate ticket, and the ſum, publiſhed,

diſpute as to property determined by majority of managers.

XII. Provided always, and be it enacted by the authority aforeſaid, that every perſon, that ſhall be appointed as aforeſaid to be a manager and director for putting this act in execution, before his acting in ſuch commiſſion (except the adminiſtering the oath immediately herein after mentioned) ſhall take the oath following, that is to ſay,

Managers oath.

I A. B. *as a manager and director of the lottery to be drawn in purſuance of an act of parliament made in the nineteenth and twentieth years of his Majeſty's reign, do ſwear, that I will faithfully execute the truſt*

truſt repoſed in me, and that I will not uſe any indirect art or means, or permit or direct any perſon to uſe any indirect art or means, to obtain a prize or fortunate ticket therein for myſelf or any other perſon whatſoever, and that I will do the utmoſt of my endeavours to prevent any undue or ſiniſter practice to be done by any perſon whatſoever; and that I will to the beſt of my judgment declare, to whom any prize, lot, or ticket of right does belong according to the true intent and meaning of the ſaid act.

which ſaid oath ſhall and may be adminiſtered by any two or more of the ſaid managers or directors.

by 2 or more.

XIII. Provided always, and be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid vice treaſurers, receiver general, or paymaſter general, his or their deputy or deputies, at any time or times before he or they ſhall have received any book or books for the ſaid lottery from the ſaid managers, comprehending the ſaid forty two thouſand tickets in three columns as aforeſaid, to receive from the ſaid contributors or adventurers, or their executors, adminiſtrators, ſucceſſors, or aſſigns, the monies, to be by them reſpectively paid on account of the ſaid lottery at one entire payment, or in ſuch proportions and manner as aforeſaid, before he or they ſhall have received ſuch book or books; and the ſaid vice treaſurers, receiver general, or paymaſter general, his or their deputy or deputies, ſhall give a note or receipt under his or their hand or hands for the ſum or ſums ſo paid, and ſhall be obliged thereby and by this act to give the bearer of every ſuch note or receipt a ticket or tickets of the extreme column of the three column book or books aforeſaid for every five pounds ſo contributed, paid, or anſwered, and alſo one additional ticket for every hundred pounds ſo paid, as and for the purchaſe of twenty tickets, as ſoon as he or they ſhall be enabled thereunto by delivering of any ſuch book or books to him or them from the ſaid managers as aforeſaid; any thing herein contained to the contrary notwithſtanding.

Vice treaſurers, &c. before receiving lottery books from managers may receive adventurers money at 1 payment, or as aforeſaid,

and give a note or receipt,

for which obliged to give bearer tickets of the extreme column for every 5l. and 1 additional every 100l. as ſoon as books delivered,

XIV. Provided alſo, that in caſe any ſuch contributor or adventurer as aforeſaid, who ſhall have advanced and paid down to the ſaid officer or officers of the treaſury any proportion of his, her, or their conſideration money towards the ſaid lottery, his, her, or their executors, adminiſtrators, ſucceſſors, or aſſigns, do not advance and pay unto ſuch officer or officers the remaining part and parts of his, her, or their conſideration money, ſo to be paid in full for ſuch ticket or tickets, on or before the time and

Adventurer, not paying remainder, ſhall forfeit for the publick the money advanced,

times for paying thereof as aforeſaid; that then and in every ſuch caſe every ſuch contributor or adventurer ſhall forfeit and loſe to his Majeſty for the uſe of the publick the proportion of his, her, or their purchaſe money, which he, ſhe, or they ſhall have ſo paid down as aforeſaid towards the lottery, and in ſuch caſe no ticket or tickets ſhall be delivered out by the ſaid officer or officers to ſuch contributor or contributors, adventurer or adventurers, making ſuch default; but the ticket and tickets, which ſhould have been delivered to them reſpectively, had they paid the full money for the ſame, ſhall be returned or delivered to the ſaid managers and directors by the ſaid officer or officers together with the other tickets (if any) in the outermoſt column of the book and books firſt herein mentioned and directed to be prepared, which ſhall not have been diſpoſed of as aforeſaid; and ſuch ticket and tickets, upon and for which ſuch default of payments ſhall have been made as aforeſaid, ſhall be delivered back unto the ſaid officer or officers of the treaſury with other the ſaid undiſpoſed tickets (if any) to be by him or them iſſued, ſold, and diſpoſed of for the purpoſes aforeſaid, or otherwiſe retained and kept; and the ſaid contributor and contributors, adventurer and adventurers, making ſuch default ſhall not have or receive any benefit or advantage for or in reſpect of the money, which he, ſhe, or they ſhall have paid for or towards the purchaſe of ſuch ticket or tickets; any thing herein contained to the contrary notwithſtanding.

and no tickets delivered,

but returned to managers with the others not diſpoſed of,

redelivered to treaſury to be iſſued and diſpoſed of, or otherwiſe retained,

and no advantage to ſuch defaulter.

XV. Provided always, that if any contributor or contributors to ſaid lottery ſhall pay the whole or any part of his, her, or their ſubſcription or contribution before the days herein before appointed for his, her, or their reſpective payments, he, ſhe, or they ſhall be allowed out of ſuch payment diſcount by way of intereſt at the rate of four pounds *per centum per annum* for ſuch ſum, as ſhall be ſo advanced by him, her, or them, from the day whereon the ſame ſhall be advanced unto the day or days reſpectively, whereon the ſame ought to be paid as aforeſaid.

Advancing payment, allowed diſcount at 4 *per cent.*

XVI. Provided alſo, and be it further enacted by the authority aforeſaid, that out of the monies to ariſe by the contributions to the ſaid lottery it ſhall and may be lawful to and for his excellency the lord lieutenant or other chief governor or governors of this kingdom for the time being to reward the ſaid managers and directors, and the clerks and officers to be employed by and under them, and any other officers and perſons that ſhall and may be any ways employed in this affair, for their labour and pains, and to diſcharge ſuch incident expences as ſhall

Chief governor out of contributions may reward managers, officers, and diſcharge incident neceſſary expences.

neceſſarily attend the execution of this act, in ſuch manner as his excellency the lord lieutenant or other chief governor or governors of this kingdom for the time being ſhall from time to time think fit and reaſonable in that behalf, any thing in this act contained to the contrary notwithſtanding.

Debentures given for prizes at 4 *per cent.* from 24 *June* 1780,

XVII. And be it enacted by the authority aforeſaid, that every ſuch contributor, or adventurer, or other perſon who ſhall become entitled to any prize in ſaid lottery, ſhall receive a debenture from the proper officer or officers of his Majeſty's treaſury for the amount of the ſum contained in his prize, bearing intereſt from the twenty fourth day of June one thouſand ſeven hundred and eighty after the rate of four pounds *per centum per annum*; ſuch debentures to be given by the proper officers of his Majeſty's treaſury, and to be marked lottery debenture, and to be numbered in arithmetical progreſſion, where the common exceſs is to be one, until the whole ſhall be numbered.

marked and numbered,

Paid every 6 months from 24 *June* 1780, without charge or deduction till principal at 1 payment.

XVIII. And be it further enacted by the authority aforeſaid, that there ſhall be paid at the receipt of your Majeſty's exchequer by the hands of the vice treaſurer, or paymaſter general, vice treaſurers, or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the twenty fourth day of June one thouſand ſeven hundred and eighty, to the perſon to whom ſuch debenture or debentures ſhall be given, his, her, or their executors, adminiſtrators, or aſſigns, an intereſt after the rate of four pounds *per centum per annum* out of ſuch monies as ſhall be in your Majeſty's treaſury applicable thereto, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as ſuch perſon or perſons ſhall be reſpectively paid the principal money mentioned in ſuch debenture at one entire payment.

Chief governor may appoint perſons in *London* to pay *Iriſh* currency intereſt on ſaid debentures, on declaring intent to receive there by 1ſt *Dec.* 1780,

without exchange or other charge.

XIX. Provided always, and be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being, from time to time to appoint one or more perſon or perſons to pay in the city of London, according to the rate that money is current for in Ireland, the intereſt payable on ſuch of the ſaid lottery debentures, as the proprietors thereof ſhall before the firſt day of December one thouſand ſeven hundred and eighty declare in writing to the ſaid officers or officer of the treaſury, his, her, or their intention of receiving his, her, or their intereſt of in the city of London, which ſaid intereſt ſhall be paid, without any deduction, abatement, or charge whatſoever either for exchange or otherwiſe.

XX. And

A. D. 1779-80. Chap. 5.

Remittance out of duties applicable to such intereſt for payment in *London*.

XX. And be it further enacted by the authority aforeſaid, that the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, ſhall from time to time out of the duties, rates, impoſitions, and taxes, applicable to the payment of ſuch intereſt, remit to the perſon or perſons ſo appointed as aforeſaid ſums of money ſufficient for the punctual and regular payment of the ſaid intereſt in the city of London at the times herein before mentioned.

Expences of remitting charged on ſaid duties,

profit to national credit.

XXI. And be it enacted by the authority aforeſaid, that whatever expences ſhall be incurred by ſending or remitting from time to time the intereſt on the ſaid ſeveral lottery debentures from this kingdom to the ſaid city of London, and the payment of the ſame there, ſhall be charged upon the ſaid duties, rates, impoſitions, and taxes; and that whatever profit ſhall be made in the way of exchange by remitting the ſaid ſums, or any of them, ſhall be brought to the credit of the nation.

Debentures transferable by indorſement,

on notice to vice treaſurers, and entry,

viewed gratis,

indorſee intitled,

ſo *toties*,

not after in power of aſſignor.

XXII. And be it further enacted by the authority aforeſaid, that all and every perſon or perſons, to whom debentures ſhall be given purſuant to this act, his, her, or their executors, adminiſtrators, or aſſigns, may by indorſement on ſuch debentures transfer their right and benefit of the ſums due on ſuch debentures, which indorſements upon notice to the vice treaſurer or vice treaſurers, his or their deputy or deputies, and an entry or memorial made in the ſaid vice treaſurer's office (which the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, ſhall, upon requeſt without charge, fee, or reward, make accordingly, and ſhall on requeſt permit the ſame to be viewed at the uſual office hours without fee or reward) ſhall entitle the indorſee or aſſignee, his or her executors, adminiſtrators, and aſſigns, to the ſole benefit of the ſum ſo transferred or aſſigned; and that the ſaid debentures or receipts may in like manner be aſſigned or transferred by ſuch aſſignee, his or her executors, adminiſtrators, or aſſigns, and ſo *toties quoties*; and that after ſuch aſſignment it ſhall not be in the power of the perſon or perſons, who made ſuch aſſignment, to make void, releaſe, or diſcharge the ſaid aſſignment, or to diſcharge or receive the ſum thereby transferred or aſſigned, or any part thereof.

Forging or altering debenture or ticket, uttering or vending or bringing ſuch to treaſury or others with

XXIII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall forge or counterfeit, or cauſe or procure to be forged or counterfeited, or willingly act or aſſiſt in the forging or counterfeiting, any debenture or debentures, receipt or receipts, ticket or tickets, to be given, iſſued, or made forth in purſuance of this act, or alter any number, figure, or word

word therein, or utter, vend, barter, or diſpoſe of, or offer to diſpoſe of any ſuch falſe, altered, forged, or counterfeited debenture or debentures, receipt or receipts, ticket or tickets; or ſhall bring any ſuch forged or counterfeited debenture, receipt, or ticket, or any debenture, receipt, or ticket, the number whereof, or any word or figure therein, ſhall have been altered (knowing the ſame to be ſuch) to the vice treaſurer or vice treaſurers, paymaſter or paymaſters general, his or their deputy or deputies, or to any other perſon or perſons whatſoever, with a fraudulent intention, or ſhall willingly aid, abet, aſſiſt, hire, or command any perſon or perſons to commit any ſuch offence or offences as aforeſaid, then and in every ſuch caſe all and every ſuch perſon or perſons, being thereof convicted in due form of law, ſhall be adjudged a felon, and ſhall ſuffer death as in caſes of felony, without benefit of clergy; and the vice treaſurer or vice treaſurers, paymaſter general or paymaſters general, his or their deputy or deputies, as alſo the ſaid managers and directors, or any two or more of them, are hereby authorized and required to cauſe any perſon bringing or uttering ſuch forged or counterfeit debenture or debentures, receipt or receipts, ticket or tickets, as aforeſaid, or aiding, abetting, aſſiſting, hiring, or commanding any perſon or perſons, therein to be apprehended, and to commit him, her, or them to his Majeſty's goal of Newgate, or to the common goal of the county or place where he, ſhe, or they ſhall be ſo apprehended, to be proceeded againſt for the ſaid felony according to law.

fraudulent intent, or abetting ſuch offences,

felony, death,

vice treaſurers, &c. or any 2 managers ſhall apprehend and impriſon ſaid offenders.

XXIV. And be it alſo enacted by the authority aforeſaid, that if any perſon or perſons, who ſhall commit any ſuch offence or offences, or be aiding, abetting, aſſiſting, hiring, or commanding any perſon or perſons therein, ſhall afterwards, being out of priſon, diſcover any one or more perſon or perſons, who ſhall have committed, or ſhall have been aiding, abetting, or concerned in any ſuch offence or offences as aforeſaid, ſo as ſuch perſon or perſons ſo diſcovered be lawfully convicted of the ſame, ſuch diſcoverer ſhall have and is hereby entitled to his Majeſty's pardon for ſuch his or her offence.

Offender out of priſon diſcovering one or more, ſo as convicted, pardoned.

XXV. Provided alſo, and be it further enacted by the authority aforeſaid, that no attainder for any of the offences aforeſaid ſhall make or occaſion any corruption of blood, loſs of dower, or diſheriſon of heirs.

No corruption of blood, loſs of dower, or diſheriſon.

XXVI. And be it further enacted by the authority aforeſaid, that neither the ſix pence *per* pound nor any other fee ſhall be payable to nor be deducted or received by the vice treaſurer or

Fees on iſſuing ſaid 2000000l. accounted for as part of the ſupply.

vice treaſurers, receiver, or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of the iſſuing or paying the ſaid ſum of two hundred thouſand pounds, or any part thereof, to his or their own uſe, but ſhall be accounted for by him or them as part of the ſupply granted to your Majeſty.

6 *Anne*, c. 17. 7 *Anne*, c. 6. 13 *G.* 2. c. 8.

XXVII. And whereas in and by an act of parliament made in this kingdom in the ſixth year of the reign of her late Majeſty queen Anne, entitled, *An act for ſuppreſſing of lotteries and gaming tables*, and by another act alſo made in this kingdom in the ſeventh year of the reign of her ſaid Majeſty, entitled, *An act for ſuppreſſing lotteries*, and by another act alſo made in this kingdom in the thirteenth year of the reign of his late Majeſty king George the ſecond, entitled, *An act for the more effectual preventing of exceſſive and deceitful gaming*, certain proviſions were made with reſpect to unlawful lotteries: be it enacted by the authority aforeſaid, that for the more effectual ſuppreſſing and preventing ſuch unlawful lotteries the juſtices of the peace, and all mayors, bailiffs, head officers, conſtables, and other his Majeſty's civil officers within their reſpective juriſdictions, be hereby impowered and required to uſe their utmoſt endeavours to prevent by all lawful ways and means the drawing of any ſuch unlawful lottery hereafter to be ſet up; and that every perſon, who after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine ſhall ſet up, or ſhall by writing or printing publiſh the ſetting up, any unlawful lottery with intent to have ſuch lottery drawn, or any other lottery, except the lottery hereby eſtabliſhed, and except any Engliſh ſtate lottery, or any lottery to be eſtabliſhed by any future act or acts of parliament in this kingdom, ſhall forfeit for every ſuch offence the ſum of one hundred pounds.

made againſt unlawful lotteries,

juſtices, mayors, and civil officers ſhall prevent ſuch unlawful lotteries,

ſetting up or publiſhing ſuch after 25 *Dec.* 1779, or any other, except hereby, or by future act, or *Engliſh* ſtate lottery,

penalty 100l.

XXVIII. And be it enacted by the authority aforeſaid, that no perſon or perſons ſhall ſell the chance or chances of any ticket or tickets in the lottery hereby eſtabliſhed, or any ſhare or ſhares in any ticket or tickets in the ſaid lottery for a day or part of a day, or for a longer time leſs than the whole time of drawing the lottery then to come, or ſhall receive any money whatſoever in conſideration of the repayment of any ſum or ſums of money, in caſe any ticket or tickets in the ſaid lottery ſhall prove fortunate, or in caſe of any chance or event relating to the drawing of any ticket or tickets in the ſaid lottery, either as to the time of ſuch ticket or tickets being drawn, or whether ſuch ticket or tickets be drawn fortunate or unfortunate, or ſhall publiſh any propoſals for any ſuch purpoſes as aforeſaid,

No chance or ſhare ſold for a day or leſs than the whole time of drawing to come,

no money received on chance or event as to time of drawing or fortune of a ticket,

no propoſals for ſuch publiſhed, or wager laid,

aforeſaid, or ſhall lay any wager relating to the drawing of any ticket or tickets in the ſaid lottery either as to the time of ſuch ticket or tickets being drawn, or whether ſuch ticket or tickets be drawn fortunate or unfortunate, contrary to the true intent and meaning of this act; and all and every perſon and perſons, who ſhall offend in any one of the aforeſaid matters, ſhall forfeit and pay the ſum of one hundred pounds, and all ſum and ſums of money, if any, which ſhall have been received by ſuch perſon and perſons contrary to the true intent and meaning of this act; and every ſuch ſale, wager, or contract, and every agreement relating thereto, ſhall be and is hereby declared to be null and void.

penalty 100l. and ſums received;

ſuch ſale, wager, or agreement void.

XXIX. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine no perſon or perſons whatſoever ſhall publickly or privately ſet up, exerciſe, keep or open by himſelf, or any other perſon or perſons, any office or place for buying, ſelling, inſuring, regiſtering, giving, or otherwiſe dealing in any tickets or chances, or parts thereof, or in the number or numbers of any ticket or tickets in any lottery whatſoever, or ſhall by writing or printing publiſh the ſetting up or uſing any ſuch office of place, without firſt taking out a licence for that purpoſe in manner hereafter mentioned.

no office ſet up or opened for dealing in tickets or chances, or parts thereof, or in the numbers, nor publiſhed, without licence.

XXX. And be it further enacted by the authority aforeſaid, that every ſuch licence ſhall be granted under the hands and ſeals of two or more of the managers and directors of the lottery hereby eſtabliſhed.

Licence under hands and ſeals of 2 managers.

XXXI. And be it further enacted by the authority aforeſaid, that every ſuch licence ſhall ſet forth the true name and place of abode of the perſon or perſons taking out the ſame, and alſo the place where ſuch buſineſs or dealing ſhall be carried on, and ſuch licence ſhall be continued in force for ſuch time, not exceeding twelve calendar months from the date thereof, as ſhall be mentioned in ſaid licence; and every perſon acting or dealing in any of the matters therein contained without a licence, or after the expiration of ſuch licence in manner aforeſaid, ſhall reſpectively forfeit for each offence the ſum of twenty pounds, to be recovered and diſtributed in manner herein after mentioned.

To ſet forth the perſons true name and abode, and place of dealing, not exceeding 12 months from date, dealing without, or after expiration, 20l.

XXXII. And be it further enacted by the authority aforeſaid, that every perſon, who after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine ſhall publiſh, open, ſet up, or keep any ſuch office or place under any the denominations aforeſaid, or any like denominations contrary to the intent

Publiſhing or opening ſuch office under any like denomination, 100l.

A. D. 1779-80. Chap. 5.

tent and meaning of this preſent act, ſhall forfeit for every ſuch offence the ſum of one hundred pounds.

Counterfeiting licence, penalties of forgery, and 500l.

XXXIII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons whatſoever ſhall forge or counterfeit any licence or licences to be made forth by virtue of this act for the purpoſes aforeſaid, ſuch perſon or perſons ſhall be ſubject to ſuch penalties, as perſons convicted of forgery are by law ſubject to, and ſhall further forfeit the ſum of five hundred pounds.

Keeping office or publiſhing ſcheme for receiving money, not having the tickets in actual poſſeſſion, 100l.

XXXIV. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall keep any office or offices, or ſhall print or publiſh any ſcheme or propoſal for receiving any ſum or ſums of money in conſideration of any intereſt to be granted for the ſame in any ticket or number of tickets in the ſaid lottery, whereof ſuch perſon or perſons ſhall not then be actually poſſeſſed, or in conſideration of any ſum or ſums of money to be repaid in caſe any ticket or number of tickets in the ſaid lottery, which ſhall not then be in the actual poſſeſſion of ſuch perſon or perſons, ſhall prove fortunate, all and every ſuch perſon and perſons ſhall forfeit and pay the ſum of one hundred pounds.

Notice for ſubſcriptions for ſale of chances not poſſeſſed of the tickets, or other undertaking reſembling lottery, deemed within the acts againſt private lotteries,

XXXV. And in order to prevent any perſons from giving publick notice for taking ſubſcriptions for the ſale of the chances or part of the chances to ariſe on the tickets to be iſſued by virtue hereof, ſuch perſons not being poſſeſſed of the tickets on which ſuch chances or parts of chances ſhall be propoſed to be ſold thereby, or in any other manner erecting another lottery, or entering into an undertaking reſembling a lottery for their private benefit, or for any other purpoſe on the foot of the lottery ſo to be erected by virtue hereof, be it enacted by the authority aforeſaid, that the ſame and all ſuch kind of undertakings ſhall be and are hereby declared to be within the true intent and meaning of the ſeveral acts of parliament made in this kingdom againſt private lotteries; and the ſeveral perſon or perſons buying, ſelling, ſubſcribing, or taking ſubſcriptions for the purchaſe of ſuch chances or lots, or part or parts of ſuch chances or lots, chance or lot, or of any one or more of the tickets to be made in purſuance hereof, or of or on the number or numbers of any ſuch ticket or tickets without having ſuch original ticket or tickets in his, her, or their own cuſtody or poſſeſſion and right, ſuch perſon or perſons ſhall for every lot or chance ſo ſold or ſubſcribed for as aforeſaid ſeverally forfeit and pay the ſum of one hundred pounds over and above any former penalties; the one moiety thereof to his Majeſty, his heirs and ſucceſſors,

perſons buying, ſelling, ſubſcribing, or taking, not having ſuch original tickets, ſeverally forfeit 100l. above former penalties for every lot or chance,

to the king and poſſeſſor of the ticket

ſors, and the other moiety thereof to ſuch perſon or perſons as in his, her, or their own right ſhall at the commencement of the drawing of ſuch lottery be poſſeſſed of the ticket or tickets, on which ſuch lot or chance or lots or chances ſhall be ſold or ſubſcribed for as aforeſaid.

at commencement of drawing.

XXXVI. And be it enacted by the authority aforeſaid, that if any perſon ſhall after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine make, print, * adertiſe, or publiſh, or cauſe to be made, printed, * adertiſed or publiſhed, any propoſal or propoſals, ſcheme or ſchemes, for advancing ſmall ſums of money by ſeveral perſons, amounting in the whole to large ſums to be divided among them by the chances of the prizes in the lottery to be eſtabliſhed hereby, or ſhall deliver out, or cauſe or procure to be delivered out, tickets to the perſons advancing ſuch ſums to entitle them to a ſhare of the money ſo advanced, according to ſuch propoſal or propoſals, ſcheme or ſchemes, or ſhall make, print, advertiſe, or publiſh, or cauſe to be made, printed, advertiſed, or publiſhed, any propoſal or propoſals, ſcheme or ſchemes, of the like kind or nature under any denomination, name, or title whatſoever, every ſuch perſon ſhall for every ſuch offence, over and above any former penalties inflicted by any former act or acts of parliament made againſt any private or unlawful lotteries, forfeit the ſum of one hundred pounds.

Propoſal for advancing ſmall ſums by ſeveral, to be divided by chances of prizes, or delivering tickets for ſhares according thereto, or any ſcheme of like kind, 100l. above former penalties.

XXXVII. And be it enacted by the authority aforeſaid, that all and every perſon and perſons, who after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine ſhall be an adventurer or adventurers in, or ſhall pay any money or other conſideration, or any ways contribute unto or upon the account of any ſuch ſales, lotteries, propoſals, or ſchemes, as in the ſaid in part recited act of the thirteenth year of his late Majeſty king George the ſecond and as herein are ſubjected to penalties, ſhall forfeit for every ſuch offence double the ſum paid and contributed.

Adventurers or contributors in any way to ſuch ſales, lotteries, or ſchemes, ſubject to penalties by 13 *G.* 2. c. 8. or herein, forfeit double.

XXXVIII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine by virtue or under colour of any grant or authority from any foreign prince, ſtate, or government whatſoever erect, ſet up, continue, or keep, or ſhall cauſe or procure to be erected, ſet up, continued, or kept, any lottery or undertaking in the nature of a lottery under any denomination whatſoever, or ſhall make, print, or publiſh, or cauſe to be made, printed, or publiſhed,

For lottery or undertaking by authority from foreign ſtate, or publiſhing ſuch ſcheme, or ſelling ticket in any, ſave hereby, and in *G. Britain* eſtabliſhed, 100l. above former penalties.

publiſhed, any propoſal or ſcheme for any ſuch lottery or undertaking, or ſhall within this kingdom ſell or diſpoſe of any ticket or tickets in any lottery, ſave and except the lottery hereby eſtabliſhed, and any lottery which hath been or ſhall be legally eſtabliſhed in Great Britain, ſuch perſon ſhall for every ſuch offence (over and above any former penalties inflicted by any former act or acts of parliament made againſt unlawful lotteries) forfeit the ſum of one hundred pounds.

Selling or delivering, &c. ticket, chance, &c. in any part of foreign lottery or undertaking, or in duplicate, receiving money for ſuch, to be repaid if fortunate, 200l.

XXXIX. And be it further enacted by the authority aforeſaid, that from and after the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine if any perſon or perſons ſhall ſell, procure, or deliver any ticket, receipt, chance, or number in or belonging to any foreign lottery, or pretended foreign lottery, or in or belonging to any claſs, part, or diviſion of any ſuch lottery, or pretended lottery, or in or belonging to any undertaking whatſoever in the nature of a lottery, or ſhall ſell, procure, or deliver any ticket, receipt, chance or number in or belonging to any duplicate or pretended duplicate of any foreign lottery, or pretended foreign lottery, or ſhall receive or cauſe to be received any money whatſoever for any ſuch ticket, receipt, chance, or number, or for or in conſideration of any money to be repaid in caſe any ticket or tickets, number or numbers, in any foreign lottery, or pretended foreign lottery, or any claſs, part, or diviſion thereof, ſhall prove fortunate, the perſon convicted thereof ſhall for every ſuch offence forfeit the ſum of two hundred pounds.

Not to affect ſale of tickets in *Engliſh* ſtate lottery.

XL. Provided always, and be it further enacted by the authority aforeſaid, that nothing herein contained ſhall extend or be conſtrued to extend to prevent, obſtruct, or affect the ſale of any ticket or tickets of any Engliſh ſtate lottery now in being, or hereafter to be erected.

Juſtices or chief magiſtrates neglecting, forfeit 100l.

XLI. And be it enacted by the authority aforeſaid, that if any juſtice of the peace, or any other juſtices herein before deſcribed, or mayor, or other chief magiſtrate of any city or town corporate, ſhall neglect or refuſe to do what is required of him and them by this act, ſuch mayor, chief magiſtrate, and juſtices, ſo neglecting or refuſing, ſhall reſpectively forfeit and pay the ſum of one hundred pounds for every ſuch offence.

Part owners, joint tenants, or in common, capable of taking ſuch intereſts by allotment,

XLII. Provided always, and be it further enacted and declared by the authority aforeſaid, that nothing herein contained ſhall extend or be any ways conſtrued, deemed, or taken to extend, or in any ſort to affect or prejudice any eſtate, or intereſt in, out of, or to any manors, honors, royalties, lands, tenements,

advowſons, preſentations, rents, ſervices, and hereditaments whatſoever, which ſhall or may at any time or times hereafter be according to the laws now in being legally allotted to, or held by, or by means of any allotment or partition by lots; but that all perſons, who now are or that ſhall hereafter become really and truly ſeized as part owners, joint tenants, or tenants in common of any manors, honors, royalties, lands, tenements, advowſons, preſentations, rents, ſervices, and hereditaments, ſhall, and he, ſhe, and they, and his, her, and their heirs and aſſigns, is and are hereby made and continued capable to accept and take ſuch eſtates and intereſts, and parts therein, in ſuch and the like manner, and to ſuch and the like uſes, as he, ſhe, or they might, would, or could have done by or by virtue or in conſequence of any lot, ſcroll, chance or allotment whatſoever, had this preſent act never been made; any thing herein contained to the contrary thereof notwithſtanding.

as if this act not made.

XLIII. And be it enacted by the authority aforeſaid, that all and ſingular the penalties herein and hereby impoſed, and not herein otherwiſe provided for, ſhall and may be recovered by action of debt, bill, plaint, or information in any of his Majeſty's courts of record at Dublin, in which no eſſoign, wager of law, or more than one imparlance ſhall be allowed.

Penalties, not otherwiſe provided, recovered in court of record at *Dublin*, by *debt*, &c.

XLIV. Provided always, and be it further enacted by the authority aforeſaid, that no ſuit or action ſhall be commenced or brought againſt any perſon or perſons for any penalty or forfeiture incurred by any offence contrary to the proviſions herein contained, unleſs the ſame ſhall be commenced or brought within three calendar months next after the fact was committed, or ſuch cauſe of action ſhall have accrued, and not afterwards, and ſhall be laid or brought in the county, city, or place, wherein ſuch offence ſhall have been committed, or ſuch cauſe of action ſhall have ariſen, and not elſewhere.

Actions commenced in 3 months,

laid where offence.

XLV. And be it enacted by the authority aforeſaid, that one third of all and ſingular the penalties and forfeitures hereby impoſed, (and not herein otherwiſe diſpoſed of) after deducting the reaſonable charges of the ſuit or proſecution for the recovery thereof, ſhall be applied and go to the informer, and the remaining two thirds to the incorporated ſociety for promoting Engliſh proteſtant ſchools for the uſe of ſuch of the charter ſchools as they ſhall think fit.

1-3d of penalties, not diſpoſed, to informer,

2-3ds to the ſociety for charter ſchools.

XLVI. And be it enacted by the authority aforeſaid, that if any action or ſuit ſhall be commenced againſt any perſon or perſons for any thing by him done in purſuance of this act, the defendant

Defendant in ſuit for acting may plead general

A. D. 1779-80. Chap. 5.

defendant or defendants therein ſhall and may plead the general iſſue, and give this act and the ſpecial matter in evidence at the trial or trials, which ſhall be had thereupon, and that the ſame was done in purſuance of or by the authority of this act; and if the plaintiff or plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their action or actions, ſuit or ſuits; or if upon demurrer judgment ſhall be given againſt the plaintiff or plaintiffs, the defendant or defendants ſhall and may recover treble coſts, and have like remedy for the ſame, as any defendant or defendants hath or have for coſts in any other caſes by law.

iſſue, and give this act and ſpecial matter in evidence,

and treble coſts on nonſuit, &c.

XLVII. And whereas the following proprietors of ſhares of one hundred pounds each in the tontine or ſcheme of life annuities for raiſing the ſum of three hundred thouſand pounds, namely Martha Beck nominating herſelf, the reverend Thomas Pennington nominating Thomas Pennington, the reverend Thomas Pennington nominating Montague Pennington, Edward Bridger nominating the prince of Wales, and Miles Poole Pinfold nominating himſelf, have omitted to nominate the ſaid lives for their reſpective ſhares by them ſubſcribed in the ſaid tontine or ſcheme of life annuities for raiſing three hundred thouſand pounds, on or before the twenty eighth day of September laſt, the day appointed by his excellency the lord lieutenant for the appointment of the lives of the nominees in ſaid ſcheme: and whereas it appears, that ſuch omiſſion was owing to accident, and not to any wilful or fraudulent deſign: be it enacted by the authority aforeſaid, that the ſaid five proprietors in ſaid tontine may have their affidavits for naming their reſpective lives received by the vice treaſurer, or receiver general, or paymaſter general, his or their deputy or deputies; and that their nomination for ſaid lives reſpectively ſhall be as valid to all intents and purpoſes, and entitle them reſpectively to all and every ſuch benefit in ſaid ſcheme, as if ſaid nomination had been made before ſaid twenty eighth day of September laſt.

5 Proprietors of ſhares in *tontine* by accident omitting to nominate lives by time appointed, their affidavits for naming received, and nomination valid as if before 28 *Sept.* laſt.

CHAP.

CHAP. VI.

An Act for the Relief of His Majesty's faithful Subjects the Protestant Dissenters of this Kingdom; and to Repeal a Clause in the Act of the Second of Queen Anne, *entitled*, An Act to prevent the further Growth of Popery, *as far as the same relates to the Protestant Dissenters.*

WHEREAS by an act made in this kingdom in the second year of the reign of her late Majesty Queen Anne, entled, *An act to prevent the further growth of popery*, it is amongst other things enacted, That all and every person and persons, that shall be admitted, entered, placed, or taken into any office or offices civil or military, or shall receive any pay, salary, fee, or wages belonging to or by reason of any office or place of trust by reason of any patent or grant from her Majesty, or shall have any command or place of trust from or under her Majesty, or any of her predecessors or successors, or by her or their authority, or by any authority derived from her or them within this realm of Ireland, shall receive the sacrament of the Lord's Supper according to the usage of the church of Ireland within three months after his or their admittance into or receiving their said authority and employments in some publick church upon the Lord's day, commonly called Sunday, immediately after divine service and sermon: be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present Parliament assembled, and by the authority of the same, That all and every person or persons being protestants shall and may have, hold, and enjoy any office or offices civil or military, and receive any pay, salary, fee, or wages belonging to or by reason of such office or place, notwithstanding he shall not receive or have received the sacrament of the Lord's Supper, as in the said recited clause is prescribed, without incurring any of the penalties in said act, or any other act enacted for or in respect of his neglect of receiving the same.

2 *Anne*, c. 6.

all protestants shall hold office civil or military, and receive the pay, salary, fee, or wages, altho' not receiving the sacrament as by 2 *Anne*, c. 6. without the penalties in that or any other act.

CHAP. VII.

An Act for granting unto His Majeſty an additional Duty on Beer, Ale, Wine, Tobacco, Hides, and other Goods and Merchandizes therein mentioned; and for prohibiting the Importation of all Gold and Silver Lace, and of all Cambricks and Lawns, (*except of the Manufacture of* Great-Britain) *and of all Hops, except of the Growth of* Great-Britain *and the* Britiſh *Plantations.*

WE your Majeſty's moſt dutiful and loyal ſubjects the commons of Ireland in Parliament aſſembled, having a juſt ſenſe of your royal care for the proſperity of all your ſubjects, and well knowing that the ſecurity of this realm, and the continuance of the many bleſſings we enjoy under your Majeſty's mild and auſpicious reign, depend on the ſupport of your Majeſty's government: and whereas twelve thouſand effective men, commiſſion and non commiſſion officers included, are neceſſary to be maintained within this kingdom for its defence: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That three thouſand and forty ſix men, commiſſion and non commiſſion officers included, which have been raiſed in purſuance of an act of Parliament paſſed in this kingdom in the ſeſſion of one thouſand ſeven hundred and ſixty nine, be continued for eighteen months from the firſt day of July one thouſand ſeven hundred and eighty, to the thirty firſt day of December one thouſand ſeven hundred and eighty one, both inclufive, ſo as that the forces on the eſtabliſhment of this kingdom may amount to fifteen thouſand and forty ſix effective men, commiſſion and non commiſſion officers included.

II. And in order to enable your Majeſty to carry into execution your Majeſty's intentions and determined reſolutions, ſignified to us by his excellency the lord viſcount Townſhend, late lord lieutenant of this kingdom, by your Majeſty's command, to keep within this kingdom for the neceſſary defence of the ſame twelve thouſand effective men, commiſſion and non commiſſion officers included, at all times, unleſs in caſes of invaſion or rebellion in Great Britain, and to defray the other neceſſary expences of your Majeſty's government, we do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, until the twenty fifth day of December, which ſhall be in the year one thouſand ſeven hundred and eighty one inclufively, and no longer, there ſhall be throughout your Majeſty's kingdom of Ireland granted, raiſed, collected, levied, and paid to your Majeſty, your heirs and ſucceſſors, the ſeveral rates, additional duties, and impoſitions herein after mentioned (that is to ſay) for and upon every thirty two gallons of beer or ale above the price of ſix ſhillings the barrel, brewed within this kingdom by any common brewer, or in his veſſels, or by any other perſon or perſons who doth, or do, or ſhall ſell or tap out beer or ale publickly or privately, ſuch gallon to contain two hundred and ſeventy-two cubical inches, and one fourth part of a cubical inch, the ſum of two ſhillings, to be paid by the common brewer, or by ſuch other perſon or perſons reſpectively, who ſhall brew, ſell, or tap out the ſame, and ſo proportionably for a greater or leſs quantity; and for every thirty two gallons of beer or ale of the price of ſix ſhillings the barrel, or under, brewed within this kingdom by any common brewer, or in his veſſels, or by any other perſon or perſons who doth, or do, or ſhall ſell or tap out beer

or

or ale publickly or privately, each gallon to contain two hundred and ſeventy two cubical inches, and one fourth part of a cubical inch, the ſum of four pence, to be paid by the common brewer, or ſuch other perſon or perſons reſpectively, who ſhall brew, ſell, or tap out the ſame during the time aforeſaid, and ſo proportionably for a greater or leſs quantity; for every pound weight of tobacco, that ſhall be imported into this kingdom during the time aforeſaid, the ſum of three pence halfpenny; and a further additional duty of eight pounds three ſhillings and five pence, and five twentieths of a penny, for and upon every twelve hundred ſubtile pounds of tobacco, whch ſhall be imported into this kingdom during the time aforeſaid, by natives, in caſes not ſubject to alien's duty, or of two pounds nine ſhillings and four pence, and ten twentieths of a penny, for and upon every twelve hundred ſubtile pounds thereof, which ſhall be imported into this kingdom during the time aforeſaid by aliens, or in caſes ſubject to alien's duty, and ſo in proportion for any greater or leſſer quantities; the ſame to be paid down nett, without any allowance or diſcount; for every pound of green tea the ſum of ſix pence, and for every pound of black bohea and other tea the ſum of four pence, which ſhall be imported into this kingdom during the time aforeſaid, in lieu and full ſatisfaction of all duties and cuſtoms and exciſe; a further additional duty for and upon all teas imported into this kingdom, which ſhall have been purchaſed at the Eaſt India company's ſale or ſales of prize teas condemned for an higher price than four ſhillings Britiſh *per* pound, at the rate of one penny *per* pound weight for every ſix pence Britiſh that ſhall be paid for the ſame over and above the ſum of four ſhillings Britiſh at any of the ſales above mentioned from the twenty fourth day of June, one thouſand ſeven hundred and eighty, to the twenty fifth day of December, one thouſand ſeven hundred and eighty one inclusive; the price of the ſaid teas, if purchaſed at the Eaſt India company's ſales, to be inſerted in the cockets, and to be further aſcertained by a reference to the ſale books of the Eaſt India company, copies whereof, or of ſuch parts thereof as ſhall relate to the teas ſo imported, atteſted by the principal accountant or deputy accountant for the time being of the Eaſt India company the commiſſioners of the revenue are required to procure from time to time for the purpoſes above mentioned, and which copies ſhall be admitted as evidence in all proſecutions commenced or ariſing upon this act; and if the ſaid teas be ſold upon condemnation as prize teas their price to be aſcertained by the certificate cockets, or other documents, expreſſing the price or value at which ſuch teas were ſold by the captor or agent on condemnation; a duty of fourteen pounds thirteen ſhillings and four pence *per* ton for and upon all French wines; a duty of thirteen pounds *per* ton for and upon all wines of the growth of Portugal; a duty of ten pounds *per* ton on all wines of the growth of Spain; and a duty of thirteen pounds eleven ſhillings *per* ton for and upon all Rheniſh wines and all other wines which ſhall be imported into this kingdom during the time aforeſaid above all other duties of cuſtoms and exciſe now payable for the ſame, and ſo proportionably for a greater or leſs quantity; and a further additional duty of ten pounds ſeven ſhillings *per* ton on all French wines; and of five pounds *per* ton on all Spaniſh, Rheniſh, and other wines which ſhall be imported into this kingdom during the time aforeſaid, except wines of the growth of Portugal, and ſo in proportion for any greater or leſs quantity; the ſaid further additional duties of ten pounds ſeven ſhillings and five pounds to be paid nett without any diſcount or allowance; a duty of ſix pence for every yard of muſlin that ſhall be imported into this kingdom during the time aforeſaid; a further additional duty of ſix pence *per* yard for and upon all chintzes, callicoes, and muſlins of the manufacture of China, Perſia, and the Eaſt Indies, that ſhall be imported into this kingdom during the time aforeſaid; a duty of one ſhilling and ſix pence for every yard of all ſorts of ſilks and ſtuffs made or manufactured in Perſia, China, or the Eaſt Indies, that ſhall be imported into this kingdom during the time aforeſaid; an additional duty of four pounds ſterling *per* pound weight for and upon all velvets or manufactures made or mixed with

A. D. 1779-80. Chap. 7.

ſilk (except thoſe of Great Britain, China, Perſia, and the Eaſt Indies) that ſhall be imported into this kingdom during the time aforeſaid; a duty of three pence for and upon every pound weight of coffee, chocolate, and cocoa nuts, that ſhall be imported into this kingdom during the time aforeſaid; a further additional duty of two pence *per* pound for and upon all coffee that ſhall be imported into this kingdom during the time aforeſaid; an additional duty of twenty ſhillings ſterling on every hundred weight of molaſſes; an additional duty of twenty ſhillings on every hundred weight of treacle; an additional duty of ſix pence *per* yard for and upon all foreign ſtuffs called romals, and all manufactures made of cotton or of cotton and linen mixed, whether plain, painted or ſtained, which ſhall be imported into this kingdom during the time aforeſaid from any part beyond the ſeas (except the manufacture of Great Britain;) an additional duty of ſix pence *per* yard on all damaſk towelling or napkins, made of flax or hemp, imported into this kingdom from foreign parts, or from any other place than Great Britain, during the time aforeſaid, at or under a yard wide, and of one ſhilling *per* yard on all ſuch goods from ſix quarters to eight quarters wide; and of two ſhillings *per* yard on all ſuch goods from eleven quarters to twelve quarters wide; an additional duty of one penny halfpenny *per* pound weight for and upon all hops that ſhall be imported into this kingdom from Great Britain during the time aforeſaid; an additional duty of fifteen ſhillings for and upon every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep in his or her poſſeſſion, being in number not more than one; and of twenty ſhillings for every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep exceeding that number, except hackney and ſtage carriages, and carriages kept by coach makers for ſale; and alſo an additional duty of five ſhillings on all chaiſes with two wheels, which any perſon ſhall keep in his or her poſſeſſion, except hackney chaiſes and chaiſes kept by the makers for ſale, at any time between the twenty fourth day of June, one thouſand ſeven hundred and eighty, to the twenty fifth day of December, one thouſand ſeven hundred and eighty inclusive; an additional duty of thirty ſhillings for and upon every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep in his or her poſſeſſion, being in number not more than one; and of forty ſhillings for every coach, chariot, berlin, calaſh, or chaiſe with four wheels, which any perſon ſhall keep exceeding that number, except hackney and ſtage coaches, and carriages kept by coach makers for ſale; and alſo an additional duty of ten ſhillings on all chaiſes with two wheels, which any perſon ſhall keep in his or her poſſeſſion, except hackney chaiſes, and chaiſes kept by the makers for ſale, at any time between the twenty fifth day of December, one thouſand ſeven hundred and eighty, to the twenty fifth day of December, one thouſand ſeven hundred and eighty one inclusive; an additional duty of one ſhilling *per* hundred for and upon all flour, meal, bread, and biſcuit, except of the produce and manufacture of Great Britain, which ſhall be imported into this kingdom between the twenty fourth day of June, one thouſand ſeven hundred and eighty, and the twenty fifth day of December, one thouſand ſeven hundred and eighty one inclusive; an additional duty of two ſhillings *per* barrel upon all wheat, except of the produce of Great Britain, imported into this kingdom during the time aforeſaid, unleſs the middle price of wheat, at the port where the ſame ſhall be imported, ſhall exceed the price of twenty three ſhillings Engliſh *per* barrel at the time of ſuch importation; the ſaid price to be aſcertained as directed by an act of Parliament made and paſſed in the twenty ninth year of his late Majeſty King George the ſecond, entitled, *An act for the further encouragement of tillage*, or as may be directed this ſeſſion of Parliament; an additional duty of five pounds ſix ſhillings *per* ton for and upon all ſorts of vinegar that ſhall be imported into this kingdom during the time aforeſaid; a duty of five ſhillings to be paid by all and every perſon or perſons that doth, do, or ſhall ſell or tap out by retail any cyder at any time between the twenty fourth day of June, one thouſand ſeven hundred and eighty, and the twenty fifth day of December, one thouſand ſeven hundred and

eighty; and of ten ſhillings by all and every perſon or perſons that doth, do, or ſhall ſell or tap out by retail any cyder at any time between the twenty fifth day of December, one thouſand ſeven hundred and eighty, to the twenty fifth day of December, one thouſand ſeven hundred and eighty one inclusive; a duty of one penny *per* gallon for and upon all cyder that ſhall be ſold or tapped out by retail, to be paid by the perſon who ſhall ſell or tap out the ſame by retail, between the twenty fourth day of June, one thouſand ſeven hundred and eighty, and the twenty fifth day of December, one thouſand ſeven hundred and eighty one inclusive; an additional duty of five pounds *per centum* for and upon all china, earthen, japanned or lacquered ware, as valued or rated for cuſtom by the book of rates, that ſhall be imported into this kingdom during the time aforeſaid; a further additional duty of five pounds *per centum* for and upon the ſeveral goods and merchandizes (not being of the growth and produce or manufacture of Great Britain) hereinafter named, as the ſame now ſtand rated for cuſtom in the book of rates, or if unrated, ſhall be valued upon the oath of the importer, which ſhall be imported into this kingdom during the time aforeſaid, over and above all other duties now payable for the ſame; *viz.* apparel, apples, bacon and hams, beads of glaſs, chocolate, cocoa nuts, coffee, cork, capers, cloves, currants, cheſnuts, walnuts, ſmall nuts, bugles, hulled barley, artificial flowers, milinary ware, pearl barley, fans, hats chip and ſtraw, anchovies, ſturgeon, pins, wrought ivory, olives, onions, prints and pictures, mace, nutmegs, wrought incle, drugs (not being for dyers uſe) elephants teeth, furs, all lacquered, japanned, gilt, painted, bronzed, and enamelled ware, gloves of all ſorts, almonds, anniſeeds, cinnamon, liquorice, pepper, piamento, pruins, raiſins, rice, ſaffron, ſuccards, ſuccus liquoritiæ, needles, thimbles, outnal threads, ſiſters threads, china and earthen ware, whited brown thread, and all other threads, haberdaſhery, hard ware, toys, mermits, iron pots, ſciſſars, ſnuff, tiles, ſhot, laces of cotton, thread, worſted, or ſilk, groceries of all kind, except ſugars, oranges and lemons, lime, lemon, and orange juice (not being for dyers) tape, foreign linens, and all manufacture of flax and hemp; an additional duty of one ſhilling *per* rheam upon every rheam of paper, except brown, blue, and preſſing paper, which ſhall be imported into this kingdom, during the time aforeſaid, (except of the manufacture of Great Britain) a duty of one ſhilling *per* barrel upon all herrings that ſhall be imported into this kingdom (except Britiſh herrings) during the time aforeſaid; an additional duty of ſix pence for every raw and untanned hide which ſhall be exported out of this kingdom during the time aforeſaid, except to Great Britain, which are to pay the preſent duty only; an additional duty of twenty ſhilling *per* ton, for and upon every ton of ſoap boiler's waſte, and ſo in proportion for a greater or leſs quantity, that ſhall be exported out of this kingdom to any parts beyond the ſeas during the time aforeſaid; an additional duty of three pounds *per* ton for and upon every ton of linen rags, and ſo in proportion for a greater or leſs quantity, that ſhall be exported out of this kingdom to parts beyond the ſeas during the time aforeſaid.

III. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons, who ſhall have upon the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, or who ſhall have at any time between the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, and the twenty fifth day of December, one thouſand ſeven hundred and eighty one inclusive, any ſalary, profits of employments, fees, or penſions, in this kingdom, ſhall, if he or ſhe ſhall have ſuch ſalary, profits of employments, fees, or penſions on the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, or at any time between the ſaid twenty fourth day of June and twenty fifth day of December, one thouſand ſeven hundred and eighty inclusive, pay unto your Majeſty the full ſum of four ſhillings ſterling out of every twenty ſhillings, which he or ſhe do, or ſhall receive, or be entitled unto, by reaſon of ſuch ſilaries, profits of employments, fees and penſions, over and above the charges and expences

A. D. 1779-80. Chap. 7.

of executing ſaid employments; unleſs ſuch perſon do or ſhall live and actually reſide within this kingdom for and during the ſpace of three calendar months at leaſt between the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty and the twenty fifth day of December, one thouſand ſeven hundred and eighty one; and if he or ſhe ſhall have ſuch ſalary, profits of employments, fees or penſions, at any time between the ſaid twenty fifth day of December, one thouſand ſeven hundred and eighty and the twenty fifth day of December, one thouſand ſeven hundred and eighty one inclusive, then he or ſhe ſhall pay unto your Majeſty the full ſum of four ſhillings ſterling out of every twenty ſhillings, which he or ſhe do or ſhall receive, or be entitled unto by reaſon of ſuch ſalaries, profits of employments, fees or penſions, over and above all charges and expences of executing ſaid employments, unleſs ſuch perſon do or ſhall live and actually reſide within this kingdom for and during the ſpace of ſix calendar months at leaſt between the ſaid twenty fifth day of December, one thouſand ſeven hundred and eighty and the twenty fifth day of December, one thouſand ſeven hundred and eighty one inclusive; which ſaid tax or duty of four ſhillings ſterling, payable reſpectively on every twenty ſhillings within the reſpective times and terms aforeſaid, ſhall be ſtopped and deducted out of ſuch reſpective ſalaries, fees, and penſions, during the reſpective times and terms aforeſaid, by the vice treaſurer or vice treaſurers, paymaſter or paymaſters, and receiver general of his Majeſty's revenue, or by ſuch perſon or perſons who is or are to pay the ſame; and which ſaid tax of four ſhillings in the pound, to be ſtopped and deducted as aforeſaid by the perſon or perſons, who is or are to pay the ſaid ſalaries, ſhall be by him or them paid to the vice treaſurer or vice treaſurers, his or their deputy or deputies, to be accounted for to your Majeſty; and alſo that the ſaid tax of four ſhillings in the pound, to be ſtopped and deducted out of the ſaid ſalaries, profits of employments; fees, and penſions, of any perſon or perſons ſo abſent as aforeſaid, ſhall be ſtopped by the reſpective deputy or deputies of ſuch perſon and perſons ſo abſent as aforeſaid, and paid by them to the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, to be accounted for to your Majeſty; and that ſuch deputy or deputies ſhall, within one calendar month after ſuch tax ſhall become due, give in upon oath an account before the lord chief baron or any of the barons of the Exchequer, or any two juſtices of the peace, of the net profits of ſuch employment or employments, for which ſuch deputy or deputies is, are, or ſhall be accountable to their principals, which account ſuch perſon or perſons, to whom the ſame ſhall be given upon oath as aforeſaid, ſhall forthwith ſend to the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies; and ſuch deputy or deputies of ſuch perſon or perſons ſo abſent as aforeſaid ſhall within one calendar month, after ſuch account given in before the chief baron or any of the barons of the Exchequer, or any two juſtices of the peace as aforeſaid, pay to the vice treaſurer or vice treaſurers, his or their deputy or deputies, the ſum due and payable to your Majeſty for and on account of the ſaid tax of four ſhillings in the pound, chargeable upon the net profits of ſuch employment or employments, office or offices; and in caſe ſuch deputy or deputies of the perſon or perſons ſo abſent as aforeſaid ſhall omit or neglect to give in upon oath ſuch account, or to pay the ſaid tax, within the reſpective times herein before for that purpoſe appointed, ſuch deputy or deputies neglecting or omitting the ſame from the time of ſuch omiſſion or neglect ſhall be incapable of exerciſing or holding ſuch deputation, and ſhall alſo forfeit the ſum of one hundred pounds to be recovered by bill, plaint, or information, in any of your Majeſty's courts of record at Dublin; one moiety thereof to the uſe of your Majeſty, and the other moiety to ſuch perſon or perſons who ſhall ſue for the ſame, in which ſuit no eſſoign, protection, wager of law, or more than one imparlance ſhall be allowed.

VI. And be it further enacted by the authority aforeſaid, That the ſecretary or ſecretaries of the commiſſioners of his Majeſty's revenue, and the agent or agents of the ſeveral perſons who are entitled to receive any ſalaries, fees, or penſions, upon your Majeſty's eſtabliſhment, ſhall reſpectively on or before the twenty fifth day of December,

December, one thouſand ſeven hundred and eighty, deliver in upon oath, (which oath the ſaid lord chief baron or any of the barons of your Majeſty's court of Exchequer, or any two juſtices of the peace, are hereby required and impowered to adminiſter) to the beſt of their knowledge a liſt or account of ſuch of the officers of the revenue, and of the perſon or perſons who are entitled to receive any ſuch ſalaries, fees, or penſions, who ſhall have been abſent and out of this kingdom for three calendar months within the time aforeſaid; and in caſe ſuch ſecretary or ſecretaries, agent or agents, ſhall refuſe or neglect to deliver in ſuch liſts reſpectively, he or they ſhall be diſabled from holding and enjoying the ſaid office of ſecretary or ſecretaries, or from being agent or agents.

V. Provided always, and be it further enacted by the authority aforeſaid, That this act ſhall not extend to charge the tax or duty of four ſhillings ſterling on every twenty ſhillings as aforeſaid upon the ſalary, penſion, fees, or profits of employments, payable to the deſcendants of your Majeſty's royal grandfather, or to the lord lieutenant, or other chief governor or governors of this kingdom for the time being, or to his or their principal ſecretary, or to the duke of Brunſwick, prince Ferdinand, the duke and dutcheſs of Athol, the right honourable Edward lord baron Hawke of the kingdom of Great Britain, or George Charles, eſquire, if your Majeſty ſhall think fit by your ſign manual to exempt the ſaid duke of Brunſwick, prince Ferdinand, the duke and dutcheſs of Athol, the ſaid lord baron Hawke, and George Charles, or any of them, from the payment of the ſame; nor ſhall the ſame extend to the officers of the army, ſo far as reſpects the pay ariſing from their regimental commiſſions, nor ſhall the ſame extend to the half pay officers on the eſtabliſhment of this kingdom, or the widows of officers.

VI. Whereas it is deemed reaſonable and for the advancement of trade, that all goods and merchandize, of the product and manufacture of this kingdom, to be exported directly from this kingdom to the Britiſh plantations in America, or to the Weſt Indies, or into any of the ſettlements belonging to Great Britain on the coaſt of Africa, ſhould ſtand chargeable with, and pay unto his Majeſty, his heirs and ſucceſſors, duties and rates to as great an amount, as goods and merchandize of the ſame denomination and quality exported from Great Britain to ſuch places now ſtand chargeable with, whether the ſaid charges be on the importation of the materials, of which the ſaid goods and merchandizes are made, or by duties on the exportation of the ſame, or by inland exciſe, not drawn back or compenſated for by bounties: be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, and until the twenty fifth day of December, one thouſand ſeven hundred and eighty one incluſive, and no longer, there ſhall be raiſed, levied, granted, collected, and paid to his Majeſty, his heirs and ſucceſſors, upon the exportation of the ſeveral articles following from this kingdom to any of the places aforeſaid, during the time aforeſaid, the ſeveral rates, duties, and impoſitions herein after mentioned, that is to ſay; for every ton of bar iron the ſum of two pounds ten ſhillings ſterling, and ſo in proportion for any greater or leſſer quantity; and for every ton of ſplit, rolled, plated, or tinned iron, and for every ton of manufactured iron wares, the ſum of three pounds three ſhillings and eleven pence; and ſo in proportion for any greater or leſſer quantity; for and upon every hundred weight of hides, calve ſkins, kips ſkins, tanned or tawed, and not dreſſed in oil, and of ſheep ſkins, tanned for gloves, or bazil, the ſum of ſix ſhillings one penny and two thirds; and for and upon every hundred weight of hides dreſſed in oil, the ſum of one pound one ſhilling and three pence two thirds; and for and upon every hundred weight of ſheep ſkins, tawed, and not tanned or dreſſed in oil, the ſum of five ſhillings and three pence halfpenny; and for and upon every hundred weight of ſheep ſkins, tanned for roans, and not dreſſed in oil, the ſum of ſeven ſhillings and nine pence ten twelfths; and for and upon every hundred weight of ſheep ſkins, dreſſed in oil, the ſum of eleven ſhillings and two pence four twelfths; and for and upon every hundred weight of

A. D. 1779-80. Chap. 7.

calves ſkins, dreſſed in oil, the ſum of one pound eight ſhillings and one halfpenny; and for and upon every dozen of vellum the ſum of three ſhillings and three pence; and for and upon every dozen of parchment the ſum of one ſhilling and ſeven pence halfpenny; and for and upon all kid's hair a duty after the rate of one ſhilling for every twenty ſhillings value thereof, as the ſame ſhall be valued on the oath of the exporter, and ſo in proportion for any greater or leſſer quantities which ſhall be exported as aforeſaid; the ſaid ſeveral duties to be in lieu and full ſatisfaction of all duties and cuſtom now payable to his Majeſty upon the exportation of the ſaid ſeveral articles reſpectively; alſo for and upon every hundred weight of ſoap an additional duty of one ſhilling and ſix pence; and for and upon every ton of *lapis calaminaris*, the produce of this kingdom, an additional duty of two ſhilling and two pence; for and upon all lamb ſkins an additional duty after the rate of one ſhilling and ten pence halfpenny for every hundred and twenty ſkins; and for and upon every hundred weight of lamb ſkins tawed, and not tanned, or dreſſed in oil, a further additional duty of four ſhillings and two pence halfpenny; and for and upon every hundred weight of lamb ſkins, tanned for glovers, or bazil, a further additional duty of five ſhillings and two thirds of a penny; and for every hundred weight of lamb ſkins dreſſed in oil, a further additional duty of ten ſhillings and one penny and one third of a penny; and for and upon all goat ſkins tawed an additional duty after the rate of eleven ſhillings and eight pence for every one hundred and twenty ſkins; and for and upon every pound weight of goat ſkins tanned with ſumack to reſemble Spaniſh leather an additional duty of four pence and four twelfths of a penny; and for and upon all pelts, an additional duty after the rate of two ſhillings and nine pence four twelfths for every hundred pelts; and for and upon all pieces or parts of ſkins tawed or tanned, and not dreſſed in oil, a duty after the rate of two ſhillings for every twenty ſhillings value thereof; and for and upon all pieces or parts of ſkins, dreſſed in oil, a duty after the rate of one ſhilling for every twenty ſhillings value thereof; and for and upon every hundred weight of pieces or parts of ſkins dreſſed in oil, a further duty of ſix ſhillings and two pence two thirds; for and upon every pound weight of grey rabbit fur or coney hair, an additional duty of one penny and nine twentieths; and for and upon all black coney ſkins with or without ſilver hair an additional duty after the rate of one ſhilling and ſix pence eight twentieths for every hundred and twenty ſkins.

VII. And for better avoiding all doubts and controverſies concerning the ſeveral kinds of hides and ſkins, and pieces of hides and ſkins, chargeable by this act, be it further enacted by the authority aforeſaid, That by tanned hides or ſkins, or by tanned pieces of hides or ſkins, are meant only ſuch, as are tanned in ooſe, made of the bark of trees or ſumack, or whereof the principal ingredients ſhall be ſuch bark or ſumack; and that by hides and ſkins dreſſed in oil, or pieces of hides and ſkins dreſſed in oil, are meant ſuch, as are made into leather in oil, or with any liquor or materials whereof the chiefeſt ingredients ſhall be oil; and that by tawed hides or ſkins, or by tawed pieces of hides or ſkins, are meant ſuch, as are dreſſed or made into leather in allum and ſalt or meal, or other ingredients properly uſed by the tawers of white leather.

VIII. And whereas the duties payable upon the exportation of iron, iron ware, hides, calve ſkins, kip ſkins, ſheep ſkins, vellum, parchment, and kids hair, in lieu whereof the duties herein before mentioned are impoſed by this act, do now conſtitute a part of his Majeſty's hereditary revenue: be it further enacted by the authority aforeſaid, That ſo much of the produce of the ſeveral rates, duties, and impoſitions, to be raiſed, levied, granted, and paid unto his Majeſty, his heirs and ſucceſſors, by virtue of this act upon the ſaid laſt mentioned articles, as the duties now payable thereon would have amounted to, in caſe they had continued to be levied upon the exportation of ſaid articles, ſhall be placed to the account of his Majeſty's hereditary revenue; and that a ſeparate and diſtinct account be

kept by the proper officers of ſuch amount upon all and every the aforeſaid articles, which ſhall be ſo exported.

IX. And be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, no perſon or perſons whatſoever ſhall ſell or tap out by retail any cyder within this kingdom, but only ſuch as ſhall be licenſed according to the directions of this act under ſuch penalty, as hereinafter is expreſſed.

X. And be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, it ſhall and may be lawful to and for the chief commiſſioners of his Majeſty's exciſe, or any three of them, and the collectors of his Majeſty's exciſe in their ſeveral and reſpective diſtricts, from time to time to iſſue and grant ſuch licence for the ſelling and tapping out cyder by retail, and that for every ſuch licence ſo to be granted the ſum of one ſhilling and one penny, and no more, ſhall be paid or demanded as a fee for the ſame; and if any perſon or perſons ſhall from and after the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, ſell or tap out cyder by retail without ſuch licence as aforeſaid, every ſuch perſon ſo offending ſhall for every time, he or ſhe ſhall ſo offend, forfeit and pay the ſum of five pounds.

XI. And be it further enacted by the authority aforeſaid, That for the better ordering and collecting the ſaid duty of one penny *per* gallon for and upon all cyder that ſhall be ſold or tapped out by retail, it ſhall and may be lawful to and for the gauger or gaugers and officers of exciſe within their reſpective diſtricts from time to time from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, to enter in the day time into the houſes, outhouſes, ſtore houſes, and cellars of every retailer or retailers of cyder, and to take an account of all ſuch cyder, as ſhall be found in the poſſeſſion of ſuch retailer or retailers, and to charge ſuch retailer or retailers with the ſaid duty of one penny *per* gallon accordingly.

XII. And be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, every retailer of cyder ſhall ſhew to the gauger or officer of exciſe on demand all his or her ſtock of cyder then on hand; and in caſe any ſuch retailer or retailers of cyder, or his, her, or their ſervant or ſervants (in caſe ſuch retailer or retailers ſhall not be preſent, when the gauger or officer of exciſe ſhall come to ſuch retailer's houſe to take ſtock as aforeſaid) ſhall refuſe to make declaration, and ſhew all his or her ſtock of cyder then on hand, every ſuch retailer ſhall for every ſuch offence forfeit and loſe the ſum of ten pounds, and if ſuch gauger or officer of exciſe ſhall after declaration made as aforeſaid find any cyder in the poſſeſſion or cuſtody of ſuch retailer or retailers, over and above the quantity ſo ſhewn and declared, ſuch retailer ſhall likewiſe forfeit and loſe the ſum of ten pounds.

XIII. And be it further enacted by the authority aforeſaid, That for the better collecting the ſaid duty chargeable on every perſon who ſhall keep any carriage with four wheels or carriage with two wheels (except as before excepted) every perſon, who from and after the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, ſhall within three calendar months after the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, or within three calendar months after he or ſhe ſhall have kept any ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, by writing under his or her hand certify to the collector of exciſe in ſome one of the diſtricts, wherein he or ſhe ſhall reſide and dwell, within the time aforeſaid, a true account of every ſuch coach, chariot, berlin, calaſh, and chaiſe with four wheels, or chaiſe with two wheels, which he or ſhe ſhall have or keep (except hackney or ſtage carriages and carriages kept by the makers for ſale,) with the name of the place and pariſh of his or her reſidence or abode at the time of giving ſuch certificate,

tificate, which ſaid certificate ſhall be kept by the reſpective collectors of the ſeveral diſtricts in this kingdom for the time being, and ſhall be alſo entered or regiſtered in an alphabetical book to be by them reſpectively kept for that purpoſe, and a copy of ſuch entry, ſigned by ſuch collector or his clerk, to be delivered, if required, without fee or reward, to the perſon delivering ſuch certificate, and a number ſhall be entered on each certificate ſo regiſtered; and that the ſaid collectors reſpectively ſhall under their hands on or before the twenty fifth day of December in each year, give a true liſt of all coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and chaiſes with two wheels, from time to time returned to them reſpectively in ſuch certificates, with the names of the perſons and places of their abode, reſpectively mentioned in ſuch reſpective certificates, to the perſons who for the time being ſhall be appointed by the commiſſioners of his Majeſty's revenue of exciſe, or any three of them, to collect and receive the ſaid duties; and that ſuch perſons, as ſhall be appointed by the ſaid commiſſioners of exciſe, or any three of them, to collect and receive the ſaid duties on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and chaiſes with two wheels, ſhall have full power and authority to levy, collect, and receive the ſame within the diſtrict, wherein the certificate ſhall be entered, in the ſame manner as his Majeſty's revenue ariſing from fire hearths is now by law levied, collected, and received, and ſhall reſpectively ſign and deliver acquittances without fee or reward for the ſame, and ſhall keep duplicates thereof in a book to be kept for that purpoſe, in the ſame manner as acquittances are given and kept for the duty of fire hearths, and ſhall reſpectively return the book containing the duplicates of ſuch acquittances to ſuch perſon and perſons, and at the ſame time, and to be diſpoſed of in the ſame manner, as books containing the duplicates of acquittances for the ſaid duty on fire hearths are returned; and that the duties aforeſaid ſhall be paid in their reſpective diſtricts, wherein the ſaid carriages ſhall be entered or regiſtered reſpectively, and in no other.

XIV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall have or keep any coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, chargeable with the ſaid duties or any of them by virtue of this act, which ſhall not be certified in manner as aforeſaid, then and in ſuch caſe every ſuch perſon and perſons, ſo having or keeping ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels, or chaiſe with two wheels, not certified as aforeſaid, ſhall for ſuch neglect forfeit the ſum of twenty pounds, to be ſued for, recovered, levied, and applied in ſuch manner and form, and by ſuch ways and methods, as are preſcribed and appointed for the recovery of penalties in and by an act of Parliament made and paſſed in the ſaid fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, entitled, *An act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted.*

XV. Provided nevertheleſs, That every perſon (except as before excepted) having in his or her keeping or poſſeſſion any coach, chariot, berlin, calaſh, or chaiſe with four wheels or chaiſe with two wheels belonging to another, ſhall be charged for every ſuch coach, chariot, berlin, calaſh, or chaiſe with four wheels or chaiſe with two wheels, with the ſaid duty or duties impoſed by this act, in the ſame manner as the owner or proprietor thereof is or ought to be charged or chargeable for the ſame by this act.

XVI. And be it further enacted by the authority aforeſaid, That the perſon or perſons, who for the time being ſhall be authorized and impowered to collect and levy the ſaid duty or duties, or any of them on coaches, chariots, berlins, calaſhes, and chaiſes with four wheels, and chaiſes with two wheels, ſhall pay the ſame to the ſaid collectors of the ſeveral diſtricts, where the ſaid duty ſhall be collected and raiſed, and that the ſaid collectors ſhall keep ſeparate and diſtinct accounts thereof, and pay the ſame into his Majeſty's treaſury, as other money received by them for the uſe of your Majeſty.

XVII. Provided

XVII. Provided always, That nothing in this act ſhall extend or be conſtrued to extend to charge any perſon or perſons, who ſhall keep and certify to the ſaid collectors of exciſe in manner above mentioned any coach, chariot, berlin, calaſh, or chaiſe with four wheels, with the ſaid additional duties of five ſhillings and ten ſhillings reſpectively chargeable upon chaiſes with two wheels, nor to charge any cabriolet or garden chair, or to oblige ſuch perſon or perſons to make any entry of any ſuch chaiſes with two wheels, or of ſuch cabriolet or garden chair.

XVIII. And be it further enacted by the authority aforeſaid, That all and every the ſeveral and reſpective additional duties, rates, and impoſitions hereby granted, ſhall be raiſed, anſwered, levied, collected, and paid unto his Majeſty, his heirs and ſucceſſors, during the time aforeſaid over and above all other duties payable by virtue of an act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by virtue of one other act made in the fourteenth and fifteenth years of the reign of the ſaid King Charles the ſecond, entitled, *An act for ſettling the ſubſidy of poundage, and for granting a ſubſidy of tonnage, and other ſums of money unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to a book of rates hereunto annexed*, except where it is otherwiſe herein particularly provided and enacted.

XIX. And be it further enacted by the authority aforeſaid, That the ſix pence *per* pound and all other fees, which ſhall or may be payable to the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, upon iſſuing or payment of any ſum or ſums of money which ſhall or may ariſe out, or ſhall or may be received for or on account of, the ſeveral duties and aids hereby granted to your Majeſty, ſhall be applied by the ſaid vice treaſurer or vice treaſurers, receiver or paymaſter general, for the uſe of your Majeſty, your heirs and ſucceſſors, in aid and addition to the ſaid duties hereby granted, and ſhall be duly accounted for by him or them.

XX. Provided always, and be it further enacted by the authority aforeſaid, That if the ſaid tobacco or other goods and merchandizes herein before mentioned, upon which the ſaid additional duties and further additional duties hereby granted are charged upon the importation thereof, except herrings imported, ſhall after payment thereof, or ſecurity given for the ſame, be again exported by any merchant or merchants, that is or are ſubject or ſubjects of this realm, or any other of your Majeſty's dominions, within twenty four calendar months, or by merchant ſtrangers, within twelve calendar months, after the importation thereof, and due proof firſt made by certificate from the proper officer of the due entry and payment of the ſaid additional duties and further additional duties hereby granted and charged thereon, or ſecurity being given for the ſame, and that all other requiſites have been performed, which are by law required to be performed in thoſe caſes, where the duties of exciſe are to be repaid by virtue of the before mentioned act, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, that then the ſaid additional duties and further additional duties hereby impoſed ſhall without any delay or reward, if the ſame ſhall have been paid, be repaid or allowed unto ſuch merchant or merchants ſo exporting the ſame within one month after demand thereof; or if the ſame ſhall not have been paid, the ſecurity for the ſaid additional duties and further additional duties by this act charged ſhall be vacated or diſcharged, as to ſo much thereof as ſhall be ſo exported, any thing herein contained to the contrary notwithſtanding, except in ſuch caſes as may be otherwiſe enacted or provided for this ſeſſion of Parliament; and alſo that not only the ſaid additional and further additional duties, but alſo all other duties and cuſtoms paid on tobacco imported by virtue of this or any other act or acts of Parliament made in this kingdom, ſhall in like manner be fully repaid, if the ſame ſhall have been paid, or, if the ſame ſhall not have been paid, the ſecurity for paying the ſame ſhall be vacated or diſ-

A. D. 1779-80. Chap. 7.

charged, as to ſo much thereof as ſhall be ſo exported in manner and by the perſons within the reſpective times aforeſaid.

XXI. And be it further enacted by the authority aforeſaid, That the additional rates and duties hereby granted and impoſed on coffee, chocolate, and cocoa nuts, except the ſaid duty of two pence *per* pound on coffee, and all monies ariſing thereby, ſhall be paid to the truſtees appointed for the management of the hempen and flaxen manufactures of this kingdom, to be by them applied to encourage and ſupport the ſaid manufactures and the trade thereof in this kingdom; and that the ſaid additional duties on raw and untanned hides, and all monies ariſing thereby, ſhall be paid to the ſaid truſtees to be by them applied towards encouraging the raiſing of flaxſeed in this kingdom; and that ſo much of the produce of all the ſaid duties ariſing upon teas, as ſhall amount to the ſum of fifteen thouſand pounds, being after the rate of ten thouſand pounds *per annum* for the time aforeſaid, ſhall in the firſt place be paid to the ſaid truſtees to be by them applied in ſuch manner, as ſhall be directed by Parliament, and in failure of ſuch direction then in ſuch manner as ſhall appear to them moſt conducive to the encouragement of the hempen and linen manufactures; and that ſo much of the reſidue of the ſaid duties upon teas, as ſhall amount to the ſum of ten thouſand nine hundred and fifty pounds, being after the rate of ſeven thouſand pounds three hundred pounds *per annum* for the ſaid time, ſhall be placed to the account of your Majeſty's hereditary revenue; and that the ſurplus of the produce of the ſaid duties on teas ſhall be applied for the ſupport of your Majeſty's government as aforeſaid.

XXII. And be it further enacted by the authority aforeſaid, That all and every the ſeveral and reſpective duties, rates, and impoſitions hereby granted, ſhall be raiſed, anſwered, collected, and paid unto his Majeſty, his heirs and ſucceſſors, during the term aforeſaid, at the ſame time, in like manner, and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed for the raiſing, anſwering, collecting, and paying of ſaid duties in and by the act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relating to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes, as if the ſame were particularly mentioned, expreſſed, and enacted again in the body of this preſent act, with like remedy of appeal to and for the party grieved, as in and by the ſaid act of exciſe, or any other law or laws now in being relating to the duties of exciſe, is provided.

XXIII. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty-fourth day of June, one thouſand ſeven hundred and eighty, a ſeparate and diſtinct account ſhall be kept by the proper officer or officers of the ſeveral ſums ariſing from the aforeſaid ſeveral aids, duties, and taxes hereby granted as aforeſaid; and that the commiſſioners of his Majeſty's revenue ſhall return their weekly abſtracts from the ſeveral collectors to the accountant general; and that the accountant general ſhall return a ſeparate account of the aforeſaid ſums ariſing from the ſaid aids, duties, and taxes hereby granted to the vice treaſurer or vice treaſurers, his or their deputy or deputies; and that every collector or receiver do take a ſeparate receipt for the ſame, when paid into his Majeſty's treaſury, which ſaid receipt the ſaid vice treaſurer or vice treaſurers, his or their deputy or deputies, is and are hereby required to give accordingly.

XXIV. And be it further enacted by the authority aforeſaid, That the ſeveral ſums herein after mentioned be paid out of the aforeſaid additional duties and aids granted to your Majeſty by this preſent act to the perſons and for the purpoſes herein after mentioned, (that is to ſay) that a ſum after the rate of two thouſand pounds *per annum* for eighteen months be given to the truſtees of the linen manufacture to encourage the raiſing ſufficient quantities of hemp

and flax in this kingdom; that a further ſum after the rate of two thouſand pounds *per annum* be given for eighteen months to the truſtees of the linen manufacture for the encouragement of the hempen and flaxen manufactures in the provinces of Leinſter, Munſter, and Connaught, which ſaid ſeveral ſums, ſo granted to the ſaid truſtees of the flaxen and hempen manufactures, ſhall be freed and diſcharged from the payment of the ſix pence *per* pound and all other fees, which ſhall or may be payable to the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom; the ſum of one thouſand pounds to the truſtees appointed for carrying on the improvement of Cork harbour; the ſum of ſix thouſand pounds to the governors of the foundling hoſpital and work houſe, towards enabling them to diſcharge the debts by them contracted for the uſe of that charity, and towards ſupporting their neceſſary expences; the ſum of one hundred pounds to Mrs. Elizabeth Molloy, houſe keeper of the parliament houſe, for her extraordinary expence and trouble occaſioned by additional buildings; the ſum of five hundred pounds to Henry Patterſon and Hugh Cleary for the damage they have ſuſtained by a riotous mob; the ſum of three thouſand pounds to the lord mayor, ſheriffs, commons, and citizens of the city of Dublin towards carrying on the ballaſt office wall; the ſum of one thouſand five hundred pounds to the board of firſt fruits for building new churches, and rebuilding old churches in ſuch pariſhes as no divine publick ſervice has been performed in for twenty years paſt; the ſum of four thouſand pounds to the truſtees of the circular road for compleating and finiſhing the ſaid road; the ſum of one thouſand pounds to the lord mayor, ſheriffs, commons, and citizens of the city of Dublin for finiſhing and compleating the new gaol; the ſum of three thouſand nine hundred and thirty ſix pounds to the lord chancellor and chief judges for carrying on the building of offices for the publick records; the ſum of ſix thouſand pounds to the corporation for the relief of the poor in the city of Dublin for the ſupport of the houſe of induſtry in aid of the charitable contributions; the ſum of ſeven thouſand five hundred pounds to the Dublin Society for the improvement of huſbandry and other uſeful arts in Ireland, one half of ſaid ſum at the leaſt to be applied to the encouragement of agriculture and planting; the ſum of one thouſand five hundred pounds to the governors of the Hibernian ſchool for the ſupport of that charity; the ſum of one thouſand five hundred pounds to the Hibernian marine ſociety towards ſupporting the ſaid charity; all which ſaid ſeveral ſums are to be paid by the vice treaſurer or vice treaſurers, receiver general, or receivers general of this kingdom, without any further or other warrant to be ſued for, had, or obtained in that behalf.

XXV. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and eighty the ſeveral ſums granted by this act, or any other act of Parliament now in force in this kingdom, and appropriated to encourage the raiſing ſufficient quantities of flax and hemp in this kingdom, and for the encouragement of the hempen and flaxen manufactures in the provinces of Leinſter, Munſter, and Connaught, ſhall be applied to ſuch purpoſes only, and no other; and that a ſeparate and diſtinct account ſhall be kept by the proper officer of the application thereof, and be laid before Parliament.

XXVI. And be it further enacted by the authority aforeſaid, That the tax of one ſhilling *per* barrel, hereby granted and impoſed on all herrings imported into this kingdom, be paid to the Dublin Society, to be by them applied to the encouragement of the fiſheries in the north weſt parts of this kingdom.

No lace, cambrick, or lawn, except of G. Britain, no hops,

XXVII. And be it further enacted by the authority aforeſaid, That no gold or ſilver lace, cambricks, or lawns whatſoever (except of the manufacture of Great Britain) nor any hops, except of the growth of Great Britain, or of the Britiſh colonies in

A. D. 1779-80.

America or the West Indies, shall from and after the twenty fourth day of June one thousand seven hundred and eighty be imported into this kingdom in any ship or vessel whatsoever under the penalty of the forfeiture of all such lace, cambricks, and lawns, and hops, and treble the value thereof, and of the ship or vessel in which the same shall be imported, with all her guns, tackle, furniture, ammunition, and apparel; one moiety of which forfeiture shall be and remain to your Majesty, your heirs and successors, and the other moiety to him or them who shall seize and sue for the same by action, bill, plaint, or information in the court of exchequer, wherein no wager of law, protection, essoign, or other dilatory plea shall be allowed.

except of G. Britain or the Colonies, imported,

forfeited with the ship, guns, &c. to King and prosecutor in exchequer.

CHAP. VIII.

An Act for granting to his Majesty, his Heirs and Successors, several Duties upon Stamped Vellum, Parchment, and Paper.

WE your Majesty's most dutiful and loyal subjects the commons of Ireland in Parliament assembled, being desirous to raise such aids and supplies as may be sufficient to support with honour and dignity your Majesty's government, do humbly present to your Majesty the free gift of the rates and duties herein after mentioned, and do beseech your Majesty, that it may be enacted, and be it enacted, by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present Parliament assembled, and by the authority of the same, That from and after the twenty fourth day of June, one thousand seven hundred and eighty, there shall be throughout the kingdom of Ireland raised, collected, and paid unto his Majesty, his heirs and successors, from the twenty fourth day of June aforesaid, 'till the twenty fifth day of December, which shall be in the year one thousand seven hundred and eighty one inclusive, for the several and respective matters and things herein after mentioned, which shall be written or engrossed at any time or times from the said twenty fourth day of June one thousand seven hundred and eighty to the twenty fifth day of December one thousand seven hundred and eighty one inclusive, the several and respective rates, impositions, duties, charges, and sums of money herein after expressed, in manner and form following, (that is to say) for every skin or piece of vellum or parchment, or piece or sheet of paper, on which shall be engrossed or written during the time aforesaid any dispensation to hold two ecclesiastical dignities or benefices, or both a dignity and a benefice, or any other dispensation or faculty from the lord archbishop of Armagh, or master of the faculties for the time being, the sum of six pounds; for every skin or piece of vellum or parchment, or piece or sheet of paper, on which shall be engrossed or written during the time aforesaid any grants or letters patent under the great seal of Ireland of any honour, dignity, promotion, franchise, liberty, or privilege to any person or persons, bodies politick or corporate, or exemplifications of the same, (commissions of rebellion in process always excepted) the sum of six pounds; for every skin or piece of vellum or parchment, or piece or sheet of paper, on which shall be engrossed or written during the time aforesaid any grant from his Majesty, his heirs or successors, of any sum of money exceeding two hundred pounds, which shall pass the great seal of Ireland, the sum of six pounds; for every skin or piece of vellum or parchment, or piece or sheet of paper, on which shall be engrossed or written, during the time aforesaid any grant of any office or employment, which shall be above the value

ſhe of two hundred pounds *per annum*, the ſum of ſix pounds; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid, any pardon (except the pardon paſſed in *forma pauperis*) of or for any crime or offence, or of any ſum of money or forfeiture whatſoever, or on which any warrant or reprieve, relaxation from any fines, corporal puniſhment, or other forfeiture, ſhall be engroſſed or written, the ſum of three pounds; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any grant from his Majeſty, his heirs or ſucceſſors, of any ſum of money, not exceeding two hundred pounds, nor leſs than one hundred pounds, which ſhall paſs the great ſeal of Ireland, the ſum of three pounds; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any grant of any office or employment, which ſhall be above the value of fifty pounds *per annum*, and under the value of two hundred pounds *per annum*, the ſum of three pounds; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any admiſſion of any fellow of the college of phyſicians, or of any attorney, clerk, advocate, proctor, notary, or other officer or officers in any court whatſoever, except ſuch officer be an annual officer in any corporation or inferior court, whoſe office is under the value of ten pounds a year in ſalary, fees, or other perquiſites, or any appeal from the court of admiralty or the prerogative court, or from any archiepiſcopal court, the ſum of three pounds; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any grant of lands in fee, leaſe for years, or other grant of profit not herein particularly charged, that ſhall paſs the great ſeal of Ireland, or the ſeal of the exchequer (*cuſtodiam* leaſes excepted) the ſum of two pounds; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid, any preſentation or donation, which ſhall paſs the great ſeal of Ireland, or upon which any collation to be made by any archbiſhop or biſhop, or any preſentation or donation to be made by any patron whatſoever, of or to any benefice, dignity, or ſpiritual or eccleſiaſtical promotion whatſoever, of the value of one hundred pounds a year or upwards, the ſum of two pounds, the value to be aſcertained by the certificate of the archbiſhop or biſhop, or vicar general of the dioceſes; provided always, that two or more benefices epiſcopally united ſhall be deemed and taken to be one benefice only; for every ſkin or piece of vellum or parchment or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid, any exemplification of what nature ſoever, that ſhall paſs the ſeal of any court whatſoever, the ſum of ten ſhillings; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any inſtitution that ſhall paſs the ſeal of any archbiſhop, biſhop, chancellor, or other ordinary, or eccleſiaſtical court whatſoever, the ſum of ten ſhillings; provided that an inſtitution to two or more benefices epiſcopally united ſhall be conſidered as to a ſingle benefice; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid, any conveyance, ſurrender of grants or offices, releaſe, or other deed whatſoever, which ſhall be enrolled of record in any of the courts of the city of Dublin, or in any other court of record whatſoever, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid, any writ of error, certiorari, or appeal, except to the delegates, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any ſentence, that ſhall be given in the court of admiralty, or any attachment that ſhall be made out of the ſaid court of admiralty, or any relaxation of any ſuch attachment, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be en-

A. D. 1779-80. Chap. 8.

groſſed or written, during the time aforeſaid any probate of a will, or letters of adminiſtration for any eſtate above the value of thirty pounds, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any recognizance conditioned for the payment of money, or performance of covenants or agreements, ſtatute ſtaple, or ſtatute merchant, or entered of record in any court or office, except ſuch recognizances as ſhall be entered into by perſons applying for licences to ſell by retail beer, ale, wine, ſtrong waters, or other liquors, which recognizances ſhall be conſidered as bonds, and ſhall pay accordingly, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any writ of covenant for levying a fine, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any record of *niſi prius* or *poſtea*, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any writ of entry for ſuffering a common recovery, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any judgment whatſoever, which ſhall be ſigned by the maſter of any office, or his deputy, or ſecondary, or by any prothonotary, or his ſecondary, deputy, or clerk, or any other officer belonging to any of the courts of the city of Dublin, who have power or uſually do or ſhall ſign judgments, after the rate of five ſhillings for every judgment engroſſed or written on ſuch ſkin or piece of vellum, or parchment, or piece or ſheet of paper; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any commiſſion iſſuing out of any eccleſiaſtical court, not herein before particularly charged, the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any warrant, monition, or perſonal decree in the court of admiralty, (except in ſuits for the payment of ſeamen's wages) the ſum of five ſhillings; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid, any bill, anſwer, replication, rejoinder, interrogatories, depoſitions taken by commiſſioners, or any other pleadings whatſoever in the courts of chancery or exchequer, the ſum of two ſhilling and ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any indenture, leaſe, or deed poll, not hereby otherwiſe charged, except indentures for binding poor pariſh or other poor children ſupported by publick or private charities apprentices, the ſum of two ſhillings and ſix pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any writ of *habeas corpus*, the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any ſpecial bail to be taken in any of the courts of the city of Dublin, or before any of the judges of the ſaid courts, or in any other court whatſoever, or any appearance upon ſuch ſpecial bail, the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid, any decree or diſmiſſion, made by or in the courts of chancery or exchequer, the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any common bail to be filed in any court whatſoever, and any appearance that ſhall be made upon any ſuch bail, the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any admiſſion into any corporation or company, the

ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any affidavit (except ſuch affidavits as ſhall be taken before the officers of his Majeſty's cuſtoms or exciſe, or any juſtice or juſtices of the peace, or before a magiſtrate of any corporation acting as a juſtice of the peace, or acting in any court of conſcience or of ſummary juriſdiction, or before any judge of aſſize, or commiſſion of oyer and terminer relative to proſecutions on trials on indictments, or to civil bills, or that ſhall be made for the purpoſe of raiſing or accounting for publick money, and except affidavits made relative to the hempen and flaxen manufacture, or to the payment of corn premiums, or made before the truſtees of any turnpike, relative to the roads or tolls of ſuch turnpike, or affidavits made before the Dublin ſociety) the ſum of one ſhilling; for every ſkin or piece of vellum or parchment or piece or ſheet of paper, upon which any copy of ſuch affidavit, as is herein before charged, that ſhall be filed or read in any court whatſoever, ſhall be engroſſed or written during the time aforeſaid, the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any original writ (except ſuch original upon which a writ of *capias* iſſues) *ſubpœna*, writ of *capias quominus*, writ of *dedimus poteſtatem*, to take anſwers, examine witneſſes, or appoint guardians, or any other writ whatſoever, or any other proceſs or mandate that ſhall iſſue out of, or paſs the ſeals of any of the courts at the city of Dublin, or any other court whatſoever, holding plea, where the debt or damage doth amount to forty ſhillings or above, or the thing in demand is of that value, the ſum of one ſhilling; for every ſkin or piece of vellum, or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid, any entry of any action in the mayor's and ſheriffs courts of the city of Dublin, and in courts in all corporations, and other courts whatſoever, out of which no writs, proceſs, or mandate iſſue, holding plea where the debt or damage doth amount to forty ſhillings or above, the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any rule or order (except in cauſes proſecuted upon indictments, or which relate to preſentments) made or given in any of the courts at the city of Dublin, either courts of law or equity, which ſhall be taken out, the ſum of one ſhilling; for every ſkin or piece of vellum, or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any copy of ſuch rules or orders (except in cauſes proſecuted upon indictments, or which relate to preſentments entered) or the copies of any other records or proceedings in any of the ſaid courts of the city of Dublin, not hereby otherwiſe charged, the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any citation or monition, made in the prerogative court, or in any eccleſiaſtical court, or any libel or allegation, depoſition, anſwer, ſentence, or final decree, or any inventory exhibited in the prerogative court, or in any eccleſiaſtical court, or the court of admiralty, or whereupon any copies of them reſpectively ſhall be engroſſed or written (except in ſuits for recovery of ſeamens wages) the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any charter party, policy of aſſurance, paſſport, bond, releaſe, contract, or other obligatory inſtrument, or any proteſt, procuration, letter of attorney, or any other notarial act whatſoever, the ſum of one ſhilling; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any depoſitions taken in the court of chancery or court of exchequer, except the paper draughts of depoſitions taken by virtue of any commiſſion before they are engroſſed, which are not herein before charged, the ſum of one penny; for every ſkin or piece of vellum or parchment,

A. D. 1779-80. Chap. 8.

or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any copy of any bill, anſwer, plea, demurrer, replication, rejoinder, interrogatories, depoſitions, or other proceedings whatſoever taken in the court of chancery or court of exchequer, or in any court of equity, the ſum of one penny; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any copy of any will atteſted by the proper officer of the prerogative court, or any eccleſiaſtical court, the ſum of two pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any declaration, plea, replication, rejoinder, demurrer, or other pleadings whatſoever, in any court of law, or any copy thereof, the ſum of two pence; for every ſkin or piece of vellum or parchment, or piece or ſheet of paper, on which ſhall be engroſſed or written during the time aforeſaid any certificate or debenture for drawing back any cuſtoms or duties for or in reſpect of the reſhipping or exporting of any goods or merchandizes, which at any time or times from and after the twenty fourth day of June one thouſand ſeven hundred and eighty, to the twenty fifth day of December one thouſand ſeven hundred and eighty one inclusive, ſhall be exported, or ſhipped to be exported, from the kingdom of Ireland for any parts beyond the ſeas, to be paid by the perſon for whoſe benefit or at whoſe inſtance ſuch debenture or certificate ſhall be obtained, the ſum of four pence; that a duty of one penny be paid during the time aforeſaid for every almanack or calendar for any one particular year, or for any time leſs than a year, which ſhall be printed on one ſide only of any one ſheet or piece of paper only, and of two pence for every other almanack or calendar for any one particular year; and that for every almanack or calendar made to ſerve for ſeveral years, the reſpective rates aforeſaid ſhall be paid for every ſuch year; that there be paid during the time aforeſaid for all papers containing publick news, intelligence, or occurrences, a duty of one half-penny for every ſheet or piece of paper leſs than a ſheet, on which ſuch news, intelligence, or occurrences ſhall be printed; that there be paid during the time aforeſaid for every pamphlet or paper, not exceeding ſix ſheets in octavo, or in a leſſer page, or not exceeding twelve ſheets in quarto, or twenty ſheets in folio, ſo printed, a duty after the rate of one ſhilling ſterling for every ſheet of any kind of paper, which ſhall be contained in one printed copy or impreſſion thereof; that there be paid during the time aforeſaid a duty of ſix pence for every advertiſement to be contained in or publiſhed with any gazette, news paper, or journal, to be publiſhed weekly or oftner, or in any other printed paper or pamphlet whatſoever, being diſperſed or made publick yearly, monthly, or at any other interval of time.

II. And be it further enacted by the authority aforeſaid, That every deed, inſtrument, note, memorandum, letter, or other muniment or writing, for or relating to the payment of any ſum of money, or for making any valuable conſideration for or upon the loſs of any ſhip, veſſel, goods, wages, money, effects, or upon any loſs by fire, or for any loſs whatſoever, or for or upon any life or lives, ſhall be conſtrued, deemed, and adjudged to be policies of aſſurance within the meaning of this act.

III. And be it further enacted by the authority aforeſaid, That every deed, inſtrument, note, memorandum, letter, or other muniment or writing, between the captain or maſter, or owner of any ſhip or veſſel, and any merchant, trader, or other perſon, in reſpect to the freight or conveyance of any money, goods, wares, merchandizes, or effects, laden, or to be laden on board of any ſuch ſhip or veſſel, ſhall be deemed and adjudged to be a charter party within the meaning of this act.

IV. And for preventing abuſes committed by arreſting perſons without any writ or legal proceſs to juſtify the ſame, by means whereof the duty hereby given to

the

the crown upon ſuch proceſs, will be loſt, be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of June one thouſand ſeven hundred and eighty, every officer or clerk belonging, or which ſhall hereafter belong, to the court of king's bench, common pleas, or exchequer, who ſhall ſign any writ or proceſs before judgment to arreſt any perſon or perſons thereupon, ſhall at the ſigning thereof ſet down upon ſuch writ or proceſs the day and year of the ſigning the ſame; which ſhall be entered upon the remembrancer roll, or in the book where the abſtracts of ſuch writ or proceſs ſhall be entered, upon pain to forfeit the ſum of ten pounds for every offence or neglect of ſuch officer or clerk aforeſaid; to be recovered by any perſon who ſhall ſue for the ſame in any court of record of his Majeſty, his heirs and ſucceſſors, by action of debt, bill, plaint, or information, wherein no wager of law, protection, or eſſoign, or more than one imparlance ſhall be allowed.

V. And be it further enacted by the authority aforeſaid, That all books and pamphlets, ſerving chiefly for the purpoſe of an almanack, by whatſoever name or names entitled or deſcribed, are and ſhall be charged with the duty impoſed by this act on almanacks, but not with any of the duties charged by this act on pamphlets, or any other printed papers; any thing herein contained to the contrary notwithſtanding.

VI. Provided always, That this act, or any thing therein contained ſhall not extend to charge any bills of exchange, accounts, bills of parcels, bills of fees, or any bills or note (not ſealed) for payment of money at ſight, or upon demand, or at the end of certain days of payment.

VII. Provided alſo, That nothing in this act contained, ſhall extend to charge the probate of any will or letters of adminiſtration of any common ſeaman or ſoldier, who ſhall be ſlain or die in his Majeſty's ſervice, a certificate being produced from the captain or commander of the ſhip or veſſel, or captain or commanding officer of the troop or company under whom ſuch ſeaman or ſoldier ſerved at the time of his death, and oath (or if by a quaker a ſolemn affirmation) ſhall be made of the truth thereof before the proper judge or officer, by whom ſuch probate or adminiſtration ought to be granted, which oath or affirmation ſuch judge or officer is hereby authorized and required to adminiſter, and for which no fee or reward ſhall be taken.

VIII. Provided alſo, That none of the rates, duties, or ſums of money, before in this act expreſſed, ſhall be raiſed, levied, collected, or paid, or be payable unto his Majeſty by virtue of this act, by any perſon or perſons that ſhall be admitted to ſue or defend in *forma pauperis*, ſo far as relates to the ſuit, in which he or they ſhall be ſo admitted to ſue or defend.

IX. Provided alſo, That this act, or any clauſe therein contained, ſhall not be conſtrued to charge with any duty any warrant made by, or recognizances taken before any juſtice or juſtices of the peace, or any proceedings of any court martial which relate to any trial of any common ſoldier, but ſuch warrants, recognizances, and proceedings, ſhall and are hereby declared to be exempted from the payment of any of the duties before mentioned in this act.

X. Provided alſo, That this act ſhall not extend to charge any acts of Parliament, proclamation, order of council, forms of prayer and thankſgiving, or any acts of ſtate, which ſhall be ordered by his Majeſty, his heirs or ſucceſſors, or by the lord lieutenant or other chief governor or chief governors of this kingdom for the time being, to be printed, or the printed votes, or other matters which are or ſhall be ordered to be printed by either houſe of Parliament, with any of the ſaid duties on pamphlets or news papers, or to charge any books commonly uſed in any of the ſchools of Ireland, or any books containing only matters of devotion or piety, with the ſaid duties on pamphlets, or to charge any ſingle advertiſement printed by itſelf, or the daily accounts, or bills of goods imported and exported, or the weekly bills of mortality (ſo as ſuch accounts or bills do contain no other

A. D. 1779-80. Chap. 8.

matters, than what have been uſually comprized therein) with any the duties aforeſaid; any thing herein contained to the contrary notwithſtanding.

XI. And be it further enacted by the authority aforeſaid, That for the better and more effectual levying, collecting, and paying unto his Majeſty, his heirs and ſucceſſors, the ſeveral and reſpective duties hereby granted, it ſhall and may be lawful for his Majeſty, or the lord lieutenant, or other chief governor or governors of this kingdom for the time being, from time to time to nominate and appoint ſuch perſons, as his Majeſty, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, ſhall think fit, to be commiſſioners or officers for the ſtamping and marking of parchment, vellum, and paper, and managing the duties thereupon; and that the commiſſioners ſo to be appointed, ſhall keep their head office in ſome convenient place within the city of Dublin: And the ſaid commiſſioners, or the major part of them, are hereby empowered under their hands and ſeals to appoint ſuch other inferior officers with the conſent and approbation of the lord lieutenant, or other chief governor or governors of this kingdom for the time being, for the marking or ſtamping of vellum, parchment, and paper, or for the better collecting or levying the duties hereby granted to his Majeſty, his heirs and ſucceſſors, as they in their diſcretion ſhall think proper.

XII. Provided always, and be it further enacted by the authority aforeſaid, That the ſeveral commiſſioners and officers for the ſtamping or marking vellum, parchment, and paper, and managing the duties thereupon, appointed in purſuance of an act paſſed in the thirteenth and fourteenth years of his Majeſty's reign, entitled, *An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon vellum, parchment, and paper*, and alſo of one other act, paſſed in the ſeſſion of Parliament holden in the fifteenth and ſixteenth years of his Majeſty's reign, entitled, *An act for granting unto his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper*, and alſo of one other act paſſed in a ſeſſion of Parliament holden in the ſeventeenth and eighteenth years of his Majeſty's reign, entitled, *An act for granting unto his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper*, and alſo of one other act paſſed in this preſent ſeſſion of Parliament, entitled, *An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper*, and the ſeveral inferior officers appointed by the ſaid commiſſioners in purſuance of the ſaid acts, as alſo ſuch other commiſſioners and officers as ſhall be hereafter appointed purſuant to this act, ſhall, during the continuance of this act, for the more effectual levying the ſeveral duties hereby granted continue to act in the ſeveral offices to which they have been or ſhall be ſo appointed, in like manner, with the ſame powers and authorities, and ſubject to the ſame reſtrictions and limitations, as are mentioned in the ſaid recited acts, or one of them, unleſs they ſhall be ſooner removed from ſuch offices by the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being, or by the ſaid commiſſioners, with the conſent and approbation of the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being.

XIII. And be it further enacted by the authority aforeſaid, That the ſeveral types, marks, or ſtamps, already provided by the ſaid commiſſioners for the ſeveral and reſpective duties granted by the ſaid recited acts, or hereafter to be provided by them for the ſeveral and reſpective duties hereby granted ſhall be uſed for the ſtamping and impreſſing of all vellum, parchment, and paper, on which any of the ſeveral and reſpective things herein before charged ſhall be engroſſed or written; and that the ſaid types, marks, or ſtamps, or any of them, ſhall or may be altered, or renewed from time to time, as his Majeſty, his heirs and ſucceſſors, or the lord lieutenant or other chief governor or chief governors of this kingdom for the time being, ſhall think fit, ſo as publick notification thereof be given by proclamation, to be iſſued under the great ſeal of Ireland, a convenient time before the ſaid types,

marks, or ſtamps ſhall be altered or renewed, to the end that all perſons may have due notice thereof.

XIV. And that all courts of juſtice and judges whatſoever ſhall without any allegation or proof on that behalf take judicial notice of the ſeveral types, marks, and ſtamps, heretofore appointed by virtue of the ſaid recited acts, or hereafter to be appointed by virtue of this act, and of all types, marks and ſtamps, which ſhall or may be hereafter publiſhed by virtue of any proclamation or proclamations, which ſhall or may be iſſued as and for the true and lawful types, marks, and ſtamps, to be made uſe of in purſuance of this act.

XV. And be it further enacted by the authority aforeſaid, That the commiſſioners in providing types, marks, and ſtamps from time to time ſhall take care, they be ſo contrived, that the impreſſion thereof may be durable, and that the ſame may be the leaſt liable to be forged or counterfeited.

XVI. And be it further enacted by the authority aforeſaid, That the commiſſioners heretofore conſtituted or hereafter to be conſtituted by his Majeſty, his heirs or ſucceſſors, or by the lord lieutenant, or other chief governor or governors of this kingdom for the time being as aforeſaid, ſhall and may from time to time, as they ſhall ſee occaſion, appoint a fit perſon to attend in any court or office to take notice of the vellum, parchment, or paper; upon which any of the matters or things aforeſaid ſhall be engroſſed, written, or put, and of the marks or ſtamps thereupon, and of all other matters and things tending to ſecure his Majeſty's duties ariſing by this act; and that the judges in the ſeveral courts, and ſuch others to whom it may appertain, at the requeſt or requeſts of the ſaid commiſſioners, or of any two or more of them, ſhall make ſuch orders in the reſpective courts, and do ſuch other matters and things for the better ſecuring of the ſaid duties, as ſhall be lawfully and reaſonably deſired in that behalf; and that every commiſſioner and other officer hereafter to be appointed, before he proceeds to the execution of this act, ſhall take the oath following; that is to ſay,

I A. B. *do ſwear, that I will faithfully execute the truſt repoſed in me purſuant to an act of Parliament, entitled,* An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper, *without fraud or concealment, and will from time to time true account make of my doings therein, and deliver the ſame to ſuch perſon or perſons, as his Majeſty, his heirs or ſucceſſors, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, hath appointed, or hereafter ſhall appoint, to receive ſuch account, and will take no fee, reward, or profit for the execution or performance of the ſaid truſt, or the buſineſs relating thereunto, from any perſon or perſons, other than ſuch as ſhall be paid or allowed by his Majeſty, his heirs or ſucceſſors, or by ſome other perſon or perſons for that purpoſe authorized by his Majeſty, or by the lord lieutenant or other chief governor or governors of this kingdom for the time being.*

And ſuch oath ſhall and may be adminiſtered to any ſuch commiſſioner or commiſſioners by any two or more of the ſame commiſſioners, whether they ſhall have taken the ſame previouſly or not; and any of the ſaid commiſſioners, or any juſtice of the peace within the kingdom of Ireland, ſhall and may adminiſter the like oath to any ſubordinate officer.

XVII. And be it further enacted by the authority aforeſaid, That the ſaid commiſſioners, and other officers, heretofore appointed or hereafter to be appointed as aforeſaid, and all officers employed, or to be employed, or intruſted by or under them as aforeſaid, ſhall from time in and for the better execution of their ſeveral places and truſts obſerve and perform ſuch rules, methods, and orders, as they reſpectively have received or ſhall receive from time to time from the lord lieutenant, or other chief governor or governors of this kingdom for the time being; and that the ſaid commiſſioners ſhall take ſpecial care, that the ſeveral parts of this kingdom from time to time be ſufficiently furniſhed with vellum, parch-

A. D. 1779-80. Chap. 8.

ment, and paper, ſtamped or marked as aforeſaid, ſo as his Majeſty's ſubjects may have it in their election to buy the ſame of the officers or perſons to be employed by the ſaid commiſſioners at the uſual or moſt common rates above the ſaid duty, or to bring their own vellum, parchment, or paper to be ſtamped as aforeſaid, or to furniſh themſelves or others that ſhall have done the ſame.

XVIII. And to the end that his Majeſty may not be defrauded of any of the duties hereby granted, be it further enacted by the authority aforeſaid, That all records, writs, pleadings, and other proceedings, in courts of law and equity, and all deeds, inſtruments, and writings whatſoever, hereby charged, ſhall be engroſſed or written in ſuch manner, as they have been uſually accuſtomed to be written, or are now written.

XIX. And be it further enacted by the authority aforeſaid, That all writings, matters, and things, in reſpect whereof any of the ſaid duties ſhall be payable, and which ſhall be engroſſed or written after the ſaid twenty fourth day of June one thouſand ſeven hundred and eighty, ſhall be written in ſuch manner, that ſome part thereof ſhall be either upon, or as near as conveniently may be, to the ſtamps or marks, which ſhall in purſuance of this act be placed on the vellum, parchment, or paper, whereupon the ſame ſhall be written or engroſſed, upon pain that the perſon who ſhall write or engroſs, or cauſe to be written or engroſſed, any ſuch writing, matter, or thing contrary to the tenor and true meaning hereof, ſhall for every ſuch offence forfeit the ſum of ten pounds, with full coſts of ſuit.

XX. And be it further enacted by the authority aforeſaid, That all vellum, parchment, and paper, hereby intended to be charged with the ſeveral and reſpective duties aforeſaid, ſhall, before any of the matters or things herein before mentioned be thereupon engroſſed or written, be brought to the head office aforeſaid to be ſtamped and marked; and the ſaid commiſſioners and officers are hereby required upon demand of the perſon or perſons ſo bringing the ſame forthwith without fee or reward to ſtamp or mark any quantities or parcels of vellum, parchment, or paper ſo brought, ſuch perſon or perſons paying to ſuch officer or officers, as ſhall be appointed in that behalf, the reſpective duties hereby directed to be paid for the ſame.

XXI. And be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall be arreſted from and after the twenty fourth day of June one thouſand ſeven hundred and eighty, by any writ, bill, or proceſs iſſuing out of any of his Majeſty's courts of record in Dublin, at the ſuit of any common perſon, and the ſheriff or other officer ſhall take bail from ſuch perſon, againſt whom ſuch writ, bill, or proceſs is taken out, the ſheriff or other officer at the requeſt and coſts of the plaintiff in ſuch action or ſuit, or his lawful attorney, ſhall aſſign to the plaintiff in ſuch action the bail bond, or other ſecurity taken from ſuch bail, by endorſing the ſame, and atteſting it under his hand and ſeal, in the preſence of two or more credible witneſſes, which may be done without any ſtamp, provided the aſſignment ſo endorſed, be duly ſtamped before any action be brought thereupon; and alſo that from and after the twenty fourth day of June one thouſand ſeven hundred and eighty, all ſheriffs and other officers having authority to grant replevins, when and as often as it ſhall become neceſſary for ſuch ſheriff or other officer to aſſign any bond of any plaintiff in replevin to the avowant, ſuch aſſignment may be made without any ſtamp, provided the aſſignment ſo made be duly ſtamped before any action be brought thereupon.

XXII. And be it further enacted by the authority aforeſaid, That if any commiſſioners, or other officer, appointed or to be appointed as aforeſaid, ſhall fix any ſuch mark or ſtamp to any vellum, parchment, or paper, before the ſeveral and reſpective duties thereupon charged by this act ſhall be duly anſwered and paid, or be ſecured to be paid to his Majeſty's uſe, he ſhall for every ſuch offence forfeit the ſum of one hundred pounds; one moiety thereof to his Majeſty, his heirs and ſucceſſors, and the other moiety to him or them that ſhall inform or ſue for the ſame in any of his Majeſty's courts of record.

XXIII. And

XXIII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons hath or have engroſſed or written, or cauſed to be engroſſed or written, at any time ſince the commencement of the ſaid recited acts, or ſhall at any time hereafter engroſs or write, or cauſe to be engroſſed or written, upon any vellum, parchment, or paper, any of the matters or things, for which the ſaid vellum, parchment, or paper was chargeable by the ſaid recited acts, or is hereby charged to pay any duty, before ſuch time as the ſaid vellum, parchment, or paper, hath been or ſhall be marked or ſtamped as aforeſaid, or upon which there was not or ſhall not be ſome ſtamp or mark reſembling the ſame, or hath or have engroſſed or written, or cauſed to be engroſſed or written, or ſhall engroſs or write, or cauſe to be engroſſed or written, any matter or thing upon any vellum, parchment, or paper, that hath been or ſhall be ſtamped or marked for any lower duty, than the duty by the ſaid recited acts or this act payable for what hath been or ſhall be ſo engroſſed or written, then and in every ſuch caſe there ſhall be duly anſwered and paid to his Majeſty, his heirs or ſucceſſors, over and above the duty aforeſaid, for every ſuch deed, inſtrument, or writing, the ſum of ten pounds; and no ſuch record, deed, inſtrument, or writing ſhall be pleaded or given in evidence in any court, or admitted in any court to be good or available in law or equity, until as well the ſaid duty as the ſaid ſum of ten pounds ſhall be firſt paid to his Majeſty's uſe, and a receipt produced for the ſame under the hand or hands of ſome of his Majeſty's officers appointed to receive the duties above mentioned, and until the vellum, parchment, or paper, on which ſuch deed, inſtrument, or writing, hath been or ſhall be written or made, ſhall be marked or ſtamped with a lawful mark or ſtamp; and the proper officer and officers are hereby enjoined and required, upon payment or tender of the ſaid duty and ſum of ten pounds, unto him or them, to give a receipt for the ſame, and to mark or ſtamp the ſaid vellum, parchment, or paper, with the mark or ſtamp that ſhall be proper for ſuch deed, inſtrument, or writing reſpectively.

XXIV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall engroſs or write, or cauſe to be engroſſed or written, upon any vellum, parchment, or paper, any of the matters or things for which the ſaid vellum, parchment, or paper is hereby charged to pay any duty, before ſuch time as the ſaid vellum, parchment, or paper, ſhall be marked or ſtamped as aforeſaid, or upon which there ſhall not be ſome ſtamp or mark reſembling the ſame, or ſhall engroſs or write, or cauſe to be engroſſed or written, any matter or thing upon any vellum, parchment, or paper, that ſhall be marked or ſtamped for any lower duty, than the duty by this act payable for what ſhall be ſo engroſſed or written; ſuch perſon ſo offending ſhall for every ſuch offence forfeit the ſum of five pounds, one moiety thereof to his Majeſty, his heirs or ſucceſſors, and the other moiety to him or them that will inform or ſue for the ſame.

XXV. And be it further enacted by the authority aforeſaid, That in caſe any clerk, officer, or perſon, who in reſpect of any publick office or employment is or ſhall be entitled or intruſted to make, engroſs, or write any records, deeds, inſtruments, or writings, by this act charged to pay a duty as aforeſaid, ſhall be wilfully guilty of any fraud or practice to deceive his Majeſty of any duty by this act payable, by making, engroſſing, or writing any ſuch record, deed, inſtrument, or writing, or by cauſing the ſame to be made, engroſſed, or written, upon vellum, parchment, or paper, not marked or ſtamped according to this act, or upon which there ſhall not be ſome ſtamp or mark reſembling the ſame, or upon vellum, parchment, or paper, marked or ſtamped with any mark or ſtamp, which he ſhall know to be counterfeited, or by wilfully engroſſing or writing any ſuch deed, inſtrument, or other writing, upon vellum, parchment, or paper, which he ſhall know to be marked or ſtamped for a lower duty as aforeſaid, then every ſuch clerk, officer, or perſon ſo guilty of any ſuch fraud or practice, and being thereof lawfully convicted, ſhall forfeit his office, place, or employment reſpec-

A. D. 1779-80. Chap. 8.

tively, and be disabled to hold or enjoy the same for the future; and if any attorney belonging to any court whatsoever shall wilfully be guilty of any such fraud or practice as aforesaid, and be convicted thereof, he shall be disabled for the future to practice as an attorney.

XXVI. And be it further enacted by the authority aforesaid, That if any person or persons shall write or engross, or cause to be written or engrossed, either the whole or any part of any matter or thing, in respect whereof any duty is payable by this act, upon any part of any piece of vellum, parchment, or paper, whereon there shall have been before engrossed, written, or printed, any other matter or thing, in respect whereof any duty is payable by this act, before such vellum, parchment, or paper, shall have been again marked or stamped according to this act, or shall fraudulently erase or scrape out, or cause to be erased or scraped out, the name or names of any person or persons, or any sum, date, or other thing engrossed, written or printed in such instrument, writing, matter, or thing as aforesaid, or fraudulently cut, tear, or get off any mark or stamp from any piece of vellum, parchment, or paper, or any part thereof, with intent to use such stamp or mark for any other writing, matter, or thing, in respect whereof any duty shall be payable by virtue of this act, then so often, and in every such case, every person so offending in any of the particulars before mentioned, shall for every such offence forfeit the sum of fifty pounds.

XXVII. Provided always, and be it further enacted by the authority aforesaid, That as often as his Majesty, or the lord lieutenant, or other chief governor or governors of this kingdom for the time being, shall think fit to alter or renew the said marks or stamps, or any of them, it shall be lawful for all persons, who shall at that time have in their custody or possession any vellum, parchment, or paper, marked with the mark or stamp which shall have been so altered or renewed, upon which none of the matters or things hereby charged shall have been engrossed or written, at any time within the space of sixty days after such intention of renewing or altering shall be published by proclamation as aforesaid, to bring or send such vellum, parchments, or paper unto the said commissioners to the head office in the city of Dublin, or to such other officers appointed as aforesaid; and the said commissioners and officers respectively are hereby required to deliver, or cause to be delivered, unto the several persons, who shall so bring and deliver any quantity of vellum, parchment, or paper, the like quantity of vellum, parchment, or paper, and as good in quality, stamped with such new stamp or mark, without demanding or taking directly or indirectly for the same any sum of money or other consideration whatsoever, under the penalty of forfeiting for every offence one hundred pounds; to be sued for, recovered, and divided, in such manner as the other penalties in this act are directed to be sued for, recovered, and divided; and in case any person shall neglect or refuse within the time aforesaid to bring or cause to be brought and delivered unto the said commissioners and officers as aforesaid, any such vellum, parchment, or paper, the same is hereby declared to be of no other effect or use, than if it had never been stamped; and that all matters or things, which shall after that time be engrossed or written thereon, shall be of no other effect, than if they had been engrossed or written on vellum, parchment, or paper, not marked or stamped at all; and all persons, who shall engross or write any of the matters or things hereby charged on such vellum, parchment, or paper, after the said time, shall forfeit and suffer, as herein before is enacted for persons writing or engrossing on vellum, parchment, or paper, not marked or stamped.

XXVIII. Provided always, and be it further enacted by the authority aforesaid, That as often as his Majesty, his heirs or successors, or the lord lieutenant or other chief governor or governors of this kingdom for the time being, shall appoint new stamps for any of the duties hereby charged, or shall think fit to alter the said stamps, or any of them, the proclamation, which is hereby intended to be made for the giving all persons due notice thereof, shall within twenty days

after the date thereof be ſent to the mayor, chief magiſtrate, or other head officer of every city, corporation, borough, and market town throughout the kingdom of Ireland; which officers reſpectively ſhall cauſe the ſame to be publiſhed to the inhabitants of ſuch city, corporation, borough, or town either on the next market day, or the next Sunday in the church immediately after the time of divine ſervice, upon pain of forfeiting the ſum of fifty pounds; to be ſued for by action of debt, bill, plaint, or information in any of his Majeſty's courts of record at Dublin, wherein no eſſoign, protection, wager of law, privilege, or more than one imparlance ſhall be granted or allowed; the one moiety of which forfeiture to be to his Majeſty, his heirs or ſucceſſors, the other moiety to ſuch perſon who ſhall ſue for the ſame.

XXIX. And for the better diſtribution of the ſaid vellum, parchment, and paper, and that his Majeſty's ſubjects may have the ſame with more convenience and at an eaſy rate, be it further enacted by the authority aforeſaid, that the lord lieutenant, or other chief governor or governors of this kingdom for the time being, ſhall once in every year at leaſt ſet the prices of all ſorts of ſtamped vellum, parchment, or paper, at which the ſame ſhall be ſold; and that the ſaid commiſſioners for managing the ſaid duties upon vellum, parchment, and paper, ſhall ſtamp the ſaid price ſo ſet upon every ſkin or piece of vellum or parchment, or ſheet or piece of paper, ſo by them to be ſold; and that the ſaid commiſſioners ſhall likewiſe allow and pay to every perſon, that ſhall bring vellum, parchment, or paper, to the ſaid head office to be ſtamped in purſuance of this act, the duties whereof hereby impoſed ſhall amount to the ſum of ten pounds or upwards, after the rate of ſix pounds in the hundred pounds *per anſum* for ſix months, upon preſent payment of the ſaid duty upon the ſaid vellum, parchment, or paper ſo by them brought; and that any perſon or perſons, who ſhall buy of the ſaid commiſſioners or their agents vellum, or parchment, or paper, at the head office for ſtamping the ſame, the duty whereof ſhall amount to the like ſum of ten pounds or upwards, ſhall have the ſame allowance for preſent payment.

XXX. Provided always, That all vellum, parchment, and paper, which ſhall have been ſtamped or marked, and ſhall have paid the duties granted by virtue of any act or acts of Parliament heretofore made, ſhall and may be ſued for the purpoſes thereby intended without any additional ſtamp, mark, or duty, except where a duty greater than that already laid on is hereby impoſed, in all which caſes ſuch vellum, parchment, and paper, ſhall upon the requeſt of any perſon or perſons be ſtamped with a higher ſtamp, or be exchanged at the head office for vellum, parchment, or paper ſtamped with a higher ſtamp, the perſon or perſons requeſting the ſame paying the difference of price between ſaid reſpective ſtamps.

XXXI. And for the better collecting and ſecuring the duties hereby charged on pamphlets, be it further enacted by the authority aforeſaid, That one printed copy of every ſuch pamphlet, which from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and eighty ſhall be printed or publiſhed within the city of Dublin, ſhall within the ſpace of ſix days after the printing thereof be brought to the ſaid head office for marking or ſtamping vellum, parchment, and paper, and the title thereof with the number of ſheets contained therein, and the duty hereby charged thereon, ſhall be regiſtered in or entered in a book to be there kept for that purpoſe, which duty ſhall be thereupon paid to the proper officer or officers appointed to receive the ſame, or his or their deputy or clerk, who ſhall thereupon forthwith give a receipt for the ſame on ſuch printed copy to denote the payment of the duty hereby charged on ſuch pamphlets; and that one printed copy of every ſuch pamphlet, that ſhall be printed or publiſhed in any place, not being within the city of Dublin, laſt before mentioned, ſhall within the ſpace of fourteen days after the printing thereof be brought to ſome head collector of the ſaid ſtamp duties, who is hereby required forthwith to enter the title thereof with the number of ſheets contained therein, and the duty hereby charged thereon, in a book to be by him kept for that purpoſe, which duty ſhall

A. D. 1779-80. Chap. 8.

be thereupon paid to ſuch collector, who ſhall thereupon give a receipt for the ſame on ſuch printed copy.

XXXII. And be it further enacted by the authority aforeſaid, That if any ſuch pamphlet ſhall be printed or publiſhed, and the duty hereby charged thereon ſhall not be duly paid, and the title and number of ſheets thereof ſhall not be regiſtered, and a receipt for ſuch duty given on one copy thereof, within the reſpective times herein before for thoſe ſeveral purpoſes limited, then the printer and publiſher, and all other perſons concerned in or about the printing or publiſhing of ſuch pamphlet, ſhall for every ſuch offence forfeit the ſum of twenty pounds.

XXXIII. And be it further enacted by the authority aforeſaid, That no printer or any other perſon or perſons whatſoever, ſhall publiſh any news paper, intelligence, or occurrences, or any paper ſerving the purpoſe of a news paper, intelligence, or occurrences, before he or they ſhall have entered into ſecurity for the payment of the duty on advertiſements, which ſhall be printed therein or thereupon, upon pain that every perſon ſo offending herein ſhall for every ſuch offence forfeit the ſum of twenty pounds.

XXXIV. And be it further enacted by the authority aforeſaid, That no perſon whatſoever ſhall ſell or expoſe to ſale any ſuch pamphlet, or any news paper, without the true reſpective name or names, and place or places of abode, of ſome known perſon or perſons, by or for whom the ſame was really and truly printed or publiſhed, written, or printed thereon, upon pain that every perſon offending herein ſhall for every ſuch offence forfeit the ſum of twenty pounds.

XXXV. And be it further enacted by the authority aforeſaid, That no officer appointed for diſtributing ſtamped vellum, parchment, or paper in this kingdom, ſhall ſell or deliver any ſtamped paper for printing any publick news, intelligence, or occurrences to any perſon, unleſs ſuch perſon ſhall give ſecurity to the ſaid officer for the payment of the duties for the advertiſements, which ſhall be printed therein or thereupon.

XXXVI. And in regard of the uncertainty how many copies of the ſaid printed news papers may be ſold, and to the intent the duties hereby granted thereupon may not be leſſened by printing a leſs number, than may be ſold, out of fear of loſs thereby in printing more ſuch copies than may happen to be ſold, be it hereby provided, and be it further enacted by the authority aforeſaid, That the commiſſioners for managing the ſaid ſtamp duties, or the major part of them, or the head officer appointed for the time being in that behalf, ſhall and may cancel or cauſe to be cancelled all the ſtamps upon the copies of any impreſſion of ſuch news paper, which ſhall really and truly remain unſold in the hands of the perſon or perſons, by or for whom the ſame ſhall be printed or publiſhed; and upon oath or oaths (or if by a quaker upon ſolemn affirmation) made before the ſaid commiſſioners, or any one of them, or ſuch head officer, to the ſatisfaction of ſuch commiſſioners or head officer, that all ſuch copies containing the ſtamps, ſo tendered to be cancelled, are really and truly remaining unſold in the hands of the perſon or perſons, by or for whom the ſame were printed or publiſhed, and that none of ſaid copies have been fraudulently returned or rebought, after the ſame ſhall have been ſold or diſpoſed of, or any profit or advantage made thereof, which oath or affirmation the ſaid commiſſioners, or any one of them, and the ſaid head officer reſpectively, are hereby authorized to adminiſter, and to examine upon oath or affirmation into all circumſtances relating to the ſelling or diſpoſing of ſuch printed copies, ſhall and may deliver, or cauſe to be delivered, the like number of other ſheets, half ſheets, or leſs pieces of paper, properly ſtamped with the ſame reſpective ſtamps, upon payment made for ſuch paper; but no duty ſhall be taken for the ſtamps thereon.

XXXVII. And be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of June one thouſand ſeven hundred and eighty, it ſhall be lawful for all perſons, who ſhall at any time have in their cuſtody or poſſeſſion any ſtamped vellum, parchment, or paper written or engroſſed, which ſhall be inadvertently and undeſignedly ſpoiled, obliterated, or by any other means

means rendered unfit for the purpoſe intended, before the ſame is executed by any party or parties, and which in either caſe ſhall not have been uſed for any other purpoſe, or in any other manner whatſoever, nor any money or other conſideration paid or given to the attorney, ſolicitor, or other perſon, employed to tranſact the buſineſs intended to have been carried into execution by ſuch writing or engroſſment, or to the writer or engroſſer thereof, for the duty or duties marked, ſtamped, or impreſſed thereon, to bring or ſend ſuch ſtamped vellum, parchment, or paper, unto the ſaid commiſſioners of the ſtamp duties at their head office in Dublin; and upon oath (or if by a quaker upon ſolemn affirmation) made to the ſatisfaction of the ſaid commiſſioners, (which oath or affirmation the ſaid commiſſioners are, or any one of them is, hereby authorized to adminiſter) that ſuch ſtamped vellum, parchment, or paper, ſo written or engroſſed upon, or ſpoiled, obliterated, or by any other means rendered unfit for the purpoſe intended, hath not been executed by any party or parties, or uſed for any other purpoſe, or in any other manner whatſoever, and that no money or other conſideration hath been paid or given for the duty or duties marked, ſtamped, or impreſſed thereupon, (ſave and except the money firſt paid for ſuch duty or duties to the ſaid commiſſioners, or the receiver general of the ſtamp duties, or other proper officer appointed to collect and receive the ſame) the ſaid commiſſioners are hereby required to ſtamp and mark, or cauſe to be ſtamped and marked, for the ſeveral perſons, who ſhall ſo bring and deliver any quantity of ſtamped vellum, parchment, or paper, ſo written or engroſſed upon, ſpoiled, obliterated, or by any other means rendered unfit for uſe or ſervice, the like quantity of vellum, parchment, or paper, with the ſeveral and reſpective duties ſtamped, marked, or impreſſed, on the vellum, parchment, or paper, ſo written or engroſſed upon, ſpoiled, obliterated, or by any other means rendered unfit for uſe or ſervice, without demanding or taking directly or indirectly for the ſame any ſum of money or other conſideration whatſoever; and the ſaid commiſſioners for managing the ſtamp duties for the time being are hereby impowered from time to time to make ſuch rules and orders for regulating the methods and limiting the times for ſuch cancelling and allowance as aforeſaid with reſpect to ſuch news papers and other matters, as they ſhall upon experience and conſideration of the ſeveral circumſtances find neceſſary or convenient for the effectual ſecuring the duties thereon, and doing juſtice to the perſons concerned therein.

XXXVIII. Provided always, and be it further enacted by the authority aforeſaid, That the ſaid commiſſioners and other officers for managing the ſtamp duties ſhall and may deliver to any perſon, by or for whom any almanack or almanacks ſhall be printed, paper marked or ſtamped according to the true intent and meaning hereof for the printing ſuch almanack or almanacks upon his or her giving ſufficient ſecurity to pay the amount of the duties hereby charged thereon within the ſpace of three months after ſuch delivery; and that the ſaid commiſſioners and officers, upon bringing to them any number of the copies of ſuch almanacks within the ſpace of three months from the ſaid delivery, and requeſt to him or them in that behalf made, ſhall cancel all the ſtamps upon ſuch copies, and abate to ſuch perſon ſo much of the money due upon ſuch ſecurity, as ſuch cancelled ſtamps ſhall amount to.

XXXIX. Provided always, That where any almanack ſhall contain more than one ſheet of paper, it ſhall be ſufficient to ſtamp only one of the ſheets or pieces of paper, upon which ſuch almanack ſhall be printed, and to pay the duty accordingly.

XL. And be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, in caſe any perſon or perſons ſhall print, publiſh, ſell, hawk, carry about, utter, or expoſe to ſale any almanack or calendar, or any news paper, or any book, pamphlet, or paper, deemed, or conſtrued to be, or ſerving the purpoſe of an almanack or news paper within the intention and meaning of this act, not being ſtamped or

A. D. 1779-80. Chap. 8.

marked as by this act is directed, every ſuch perſon ſhall for every ſuch offence forfeit the ſum of forty ſhillings; to be recovered in a ſummary way before any juſtice of the peace, who is hereby authorized to hear and determine the ſame; and upon due proof and default of payment of the ſaid penalty to commit the offender to priſon for any time not exceeding one month without bail or mainprize, which ſaid penalty ſhall be to the ſole uſe and benefit of the perſon or perſons who ſhall without fraud or covin firſt ſue for the ſame.

XLI. And be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of June one thouſand ſeven hundred and eighty, all and every perſon and perſons, who ſhall print or publiſh, or cauſe to be printed or publiſhed, any advertiſement or advertiſements in any pamphlet, news paper, or other literary performance, ſhall within the ſpace of forty days after the printing or publication of ſuch advertiſement or advertiſements pay, or cauſe to be paid, the duty or duties thereon hereby charged to the reſpective perſons appointed to receive the ſame, or to their reſpective deputies or clerks, the duties for all ſuch advertiſements as ſhall be ſo printed or publiſhed within the city of Dublin, and to the next adjacent head officer for the time being, appointed for the collection of the ſaid ſtamp duties, the ſaid duties hereby charged for and upon all ſuch advertiſements as aforeſaid, which ſhall be printed or publiſhed in any place out of the limits of the ſaid city; and the commiſſioners and officers laſt mentioned, or ſuch of them to whom it ſhall appertain, are hereby required upon payment of the duties hereby charged on ſuch advertiſements, to give a receipt or receipts for the duty or duties hereby charged thereupon; and in default of ſuch payment within the time herein before for that purpoſe limited, the printer or publiſher of every ſuch advertiſement ſhall be liable to pay treble the duties before by this act chargeable thereupon, to be recovered with full coſts of ſuit.

XLII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever ſhall at any time or times hereafter counterfeit or forge any type, mark, or ſtamp, to reſemble any type, mark, or ſtamp, provided and uſed by virtue of the ſaid recited acts, or which ſhall be provided, made, or uſed in purſuance of this act, or ſhall counterfeit or reſemble the impreſſion of the ſame upon any vellum, parchment, or paper, or other matter directed to be ſtamped, thereby to defraud his Majeſty, his heirs and ſucceſſors, of any of the duties hereby granted, or ſhall utter, vend, or ſell any vellum, parchment, or paper, with ſuch counterfeit mark or impreſſion thereupon, knowing ſuch mark or impreſſion to be counterfeited, then every ſuch perſon ſo offending, and being thereof convicted in due form of law, ſhall be judged a felon, and ſhall ſuffer death as in caſes of felony without the benefit of clergy.

XLIII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty, and to and for the lord lieutenant, or other chief governor or governors of this kingdom for the time being, out of the duties ariſing by this act to cauſe ſuch ſum and ſums of money to be expended and paid from time to time for ſalaries and other incident charges, as ſhall be neceſſary in and for the receiving, collecting, levying, or managing of the ſaid duties; any thing in this act contained to the contrary notwithſtanding.

XLIV. And be it further enacted by the authority aforeſaid, That all and every the officer and officers, who ſhall be concerned in the levying, collecting, and receiving the duties ariſing by this act, ſhall keep ſeparate and diſtinct accounts thereof; and that the ſeveral perſons, employed to collect and levy the ſaid duties in the city or county of Dublin, ſhall pay the ſame in ſpecie into his Majeſty's treaſury on the firſt Monday in every month, unleſs it be a holyday, and then the next day after which ſhall not be a holyday; and the ſeveral perſons, employed to levy and collect the ſaid duties in other parts of this kingdom, ſhall pay the ſame in like manner to the ſeveral collectors of the inland exciſe of the reſpective diſtricts, in which the ſame ſhall be received and collected; which ſaid collectors are hereby authorized and required to receive, and give receipts for the ſame, without

fee or reward, and to keep diſtinct accounts thereof; and every ſtamp officer ſhall in ſix days after his making any payment into his Majeſty's treaſury, or to any of the ſaid collectors, give notice of the amount of ſuch payments to the commiſſioners of ſtamps; and if the ſaid officers, or any of them, ſhall neglect or refuſe to pay the ſame at the time or in manner aforeſaid, or ſhall detain all or any part of the monies by them collected and received, then for ſuch offence he or they ſhall be diſmiſſed from his or their employment, and be rendered incapable to ſerve his Majeſty, his heirs and ſucceſſors, and be charged with intereſt for the monies ſo detained in their hands after the rate of twelve pounds *per centum per annum*.

XLV. Provided nevertheleſs, That it ſhall and may be lawful for the receiver general of the ſaid duties to retain in his hands ſuch ſum not exceeding one month's produce of the ſaid duties, as he ſhall ſo receive, to anſwer the neceſſary demands of the ſaid office.

XLVI. And be it further enacted by the authority aforeſaid, That there ſhall be provided and kept in his Majeſty's treaſury one book, in which all monies, that ſhall be paid into the treaſury by virtue of this act, ſhall be entered and regiſtered apart and diſtinct from all other monies paid or payable to his Majeſty upon any account whatſoever.

XLVII. And be it further enacted by the authority aforeſaid, That none of the duties granted by this act ſhall be received or collected by or paid to the ſaid commiſſioners of ſtamps; and that the ſeveral perſons, who ſhall be reſpectively employed in receiving, collecting, or paying the ſeveral duties by this act granted, ſhall and are hereby required once in every year during the continuance of this act to exhibit their reſpective accounts thereof to the commiſſioners for taking impreſt accounts for the time being, who ſhall and are hereby from time to time reſpectively authorized and required to examine upon oath the ſaid perſons accountants, who ſhall be employed in raiſing, receiving, or collecting the ſaid duties, what ſum or ſums of money was or were by them or any of them reſpectively raiſed, collected, or received within the time of ſuch their accounts, and likewiſe what part thereof was by them or any of them paid into the receipt of his Majeſty's treaſury, or to the collectors of the ſaid inland exciſe as aforeſaid; and in making the ſaid accounts to and before the ſaid commiſſioners they are to produce proper vouchers for any ſum or ſums of money ſo by them raiſed, received, and paid; and the ſaid commiſſioners of impreſt accounts are hereby authorized and required finally to adjuſt and ſettle the ſaid accounts, and to give diſcharges to the ſaid ſeveral accountants.

XLVIII. And be it further enacted by the authority aforeſaid, That when the accounts of the money received for the ſeveral duties ſhall have been ſo audited, the ſame ſhall be ſigned by the ſaid commiſſioners of accounts, and ſhall be at all times to the ſaid officers therein concerned a full and ſufficient warrant and diſcharge to all intents and purpoſes.

XLIX. And be it further enacted by the authority aforeſaid, That all penalties incurred by this act, unleſs otherwiſe directed by this act, may be recovered by any perſon, who ſhall ſue for the ſame by action of debt, bill, plaint, or information in any of his Majeſty's courts of record at Dublin, in which no eſſoign, protection, privilege, or wager of law, or more than one imparlance ſhall be allowed.

L. And be it further enacted by the authority aforeſaid, That neither the ſix pence *per* pound nor any other fee ſhall be payable to or deducted or received by the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, for their own uſe, for or on account of the iſſuing or payment of any ſum or ſums of money ariſing by, or which ſhall be received for or on account of, the aids hereby granted to his Majeſty, or of any payment to be made in purſuance of this act, but that the ſame ſhall be received and duly accounted for to his Majeſty, his heirs and ſucceſſors.

A. D. 1779-80.

CHAP. IX.

An Act for Licenſing Hawkers and Pedlars, and for the Encouragement of Engliſh Proteſtant Schools.

WHEREAS the continuing the encouragement formerly given to Engliſh proteſtant ſchools will be of great benefit to this kingdom, and it is reaſonable, that ſome publick fund ſhould be applied and ſet apart for that purpoſe: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty fifth day of March, one thouſand ſeven hundred and eighty until the twenty fifth day of March, one thouſand ſeven hundred and eighty two, there ſhall be anſwered and paid unto his Majeſty, his heirs and ſucceſſors, by every hawker, pedlar, petty chapman, or other trading perſon or perſons going from town to town, or to other mens houſes, fairs, marts, or markets, and travelling either on foot or with horſe, horſes, or otherwiſe, in this kingdom (except as hereinafter mentioned) and carrying to ſell or expoſing to ſale, any goods, wares, or merchandizes (except as hereinafter mentioned) a duty of twenty ſhillings by the year; and that every perſon ſo travelling with any horſe or horſes, aſs or aſſes, mule or mules, or any other beaſt or beaſts bearing or drawing burthen, ſhall pay the ſum of twenty ſhillings by the year, from the twenty fifth day of March, one thouſand ſeven hundred and eighty to the twenty fifth day of March one thouſand ſeven hundred and eighty two, for each horſe, aſs, or mule, or other beaſt bearing or drawing burthen, he or ſhe ſhall ſo travel with, over and above the ſaid firſt mentioned duty of twenty ſhillings by the year; which ſaid rates and duties ſhall be collected by ſuch perſon and perſons, and in ſuch manner, and by ſuch ways and means, as the duty payable for licences to keep ale houſes is raiſed and collected by virtue of an act made in this kingdom in the thirty third year of the reign of his late Majeſty King George the ſecond, entitled, *An act for better regulating the collection of his Majeſty's revenue, and for preventing of frauds therein, and for repealing an act made the then laſt ſeſſion of Parliament*, entitled, *An act for continuing and amending ſeveral laws heretofore made relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act, and continued thereby*, as fully to all intents and purpoſes as if the proviſions in the ſaid act for that purpoſe were particularly mentioned and expreſſed and enacted again in the body of this preſent act.

II. And be it enacted by the authority aforeſaid, That every pedlar, hawker, petty chapman, and other trading perſon or perſons, ſo travelling as aforeſaid, ſhall before the twenty fifth day of March, one thouſand ſeven hundred and eighty, and ſo likewiſe in every year, deliver or cauſe to be delivered to the collector of the exciſe of the diſtrict, where he or ſhe ſhall reſide or dwell, a note in writing under his or her hand, or under the hand of ſome perſon by her or him authorized in that behalf, how and in what manner he or ſhe intends to travel and trade, whether on foot, or with one or more horſe or horſes, aſs or aſſes, mule or mules, or other beaſt or beaſts bearing or drawing burthen; and thereupon a licence or licences ſhall be granted by ſuch collector unto him or her for his or her ſo travelling and trading, for which he or ſhe ſhall thereupon pay or cauſe to be paid for each licence unto ſuch collector the yearly duty herein before directed to be payable for the ſame.

III. And

III. And be it enacted by the authority aforesaid, That if any such hawker, pedlar, or petty chapman, or other person, from and after the said twenty fifth day of March one thousand seven hundred and eighty be found trading as aforesaid, without or contrary to, or not warranted by such licence or licences, such person shall for each and every such offence forfeit the sum of five pounds; one moiety thereof to the informer, and the other moiety to the incorporated society in Dublin for promoting English protestant schools in Ireland; and that if any person so trading, upon demand made by any revenue officer or officers, or by any justice of the peace, mayor, constable, or other officer of the peace of any county, city, town corporate, or borough, where he or she shall so trade, shall refuse to produce and shew immediately unto such person or persons as aforesaid, so demanding the same, his or her licence or licences for so trading, to be granted as aforesaid, that then the person so refusing shall forfeit twenty shillings, to be paid to the informer, and for nonpayment thereof shall suffer as a common vagrant, and be committed to the house of correction.

IV. And be it enacted by the authority aforesaid, That it shall and may be lawful to and for the said collectors of the several districts in this kingdom respectively, and they are hereby respectively directed, appointed, and required, upon the terms aforesaid, and upon the receipt as aforesaid, *do grant one or more licence or licences under their respective hands to every hawker, pedlar, petty chapman, or any other trading person, for him or herself, with one or more horse or horses, ass or asses, mule or mules, beast or beasts, which he or they shall travel with, as the case shall require, according to the terms and directions of this act; and the said collectors are hereby required to insert in such licences, as they shall so issue or grant, the ages, places of abode, and a particular description of the persons, to whom licences shall be granted pursuant to this act, and to number each licence, and keep particular entries of such descriptions and licences; for each of which licences there shall be taken by such collectors for their own use one shilling, and no more, except such hawker, pedlar, or petty chapman, shall travel with horse, ass, or mule, or other beast bearing or drawing burthen, and in that case there shall be paid to such collectors for their own use for each of such licences for horses, asses, mules, or beasts of burthen, two shillings, and no more, over and above the duties aforesaid; and that the said collectors shall keep separate and distinct accounts of the duties hereby granted, and pay the money arising thereby into his Majesty's treasury, as other money received by them for the use of his Majesty.

V. And be it enacted by the authority aforesaid, That the said collectors shall be accountable to his Majesty for the duties hereby granted, and shall be subject to the like penalties and forfeitures for not rendering a true account thereof, and paying the same in manner before mentioned, as they are and stand liable unto for not rendering a true account of any money received by them for the use of his Majesty.

VI. And be it enacted by the authority aforesaid, That the monies arising from the said duties hereby granted, shall from time to time be brought into the receipt of his Majesty's Exchequer, and shall from time to time without any fee or deduction whatsoever, be paid by the vice treasurer or receiver general of this kingdom to the incorporated society in Dublin for promoting English protestant schools in Ireland, or to their treasurer for the time being, for the use of the said incorporated society.

VII. And be it enacted by the authority aforesaid, That if any person or persons whatsoever shall forge or counterfeit, or cause to be forged or counterfeited, any licence for the purposes aforesaid, or travel with such forged or counterfeit licence, knowing the same to be forged or counterfeited, such person shall forfeit the sum of fifty pounds, one moiety thereof to the King, and the other moiety to him who shall prosecute or sue for the same, to be recovered by action of debt, bill,

A. D. 1779-80. Chap. 9.

plaint, or information in any of his Majesty's courts of record at the four courts at Dublin, in which no essoign, protection, or wager of law, or more than one imparlance shall be allowed, and that such person shall be subject to such other pains and penalties, as may be inflicted on persons for forgery.

VIII. And be it enacted by the authority aforesaid, That if any person or persons shall be sued, molested, or troubled for putting in execution any of the powers contained in this act, or for doing any matter or thing pursuant thereto, such person and persons shall and may plead the general issue, and give the special matter in evidence; and if the plaintiff or plaintiffs shall be non suited, or judgment be given against him or them upon demurrer or otherwise, or a verdict pass for the defendant or defendants, or a dismiss upon a civil bill, such defendant or defendants shall have his, her, or their treble costs, to be recovered in such manner as by law costs given to defendants may be recovered in other cases.

IX. And be it enacted by the authority aforesaid, That if any constable shall refuse or neglect upon due notice, or upon his own view, to be aiding and assisting in the execution of this act, being thereunto required, every such constable, being thereof convicted by the oath of one or more credible witness or witnesses before any justice of the peace for the county or place where such offence shall be committed, shall forfeit for each and every such offence contrary to this act, the sum of forty shillings, to be levied by distress and sale of the offender's goods by warrant under the hand and seal of such justice of the peace; one moiety thereof to be paid to the said Incorporated Society, the other moiety to the informer who shall prosecute for the same, rendering the overplus thereof, if any there be, to the owners of the goods so distrained.

X. And be it enacted by the authority aforesaid, That it shall and may be lawful for any person or persons whatsoever to seize and detain any such hawker, pedlar, petty chapman, or other trading person or persons in this act mentioned, and also the goods they shall be found trading with, until such time as he, she, or they shall produce a licence in that behalf, if he, she, or they have any; and if he, she, or they shall be found trading without licence contrary to this act, that then it shall and may be lawful to and for such person or persons so seizing as aforesaid, taking to his, her, or their assistance such person or persons as he or they shall think fit, to carry the person so seized, as also the said goods, before some one of his Majesty's justices of the peace for the county or place, or before the collector of his Majesty's revenue for the district where such offence or offences shall be committed; which said justices of the peace and the collectors respectively are hereby strictly required, either upon the confession of the party offending, or due proof of a witness upon oath, which they are hereby respectively empowered to administer, that the person so brought before him had so traded as aforesaid, unless such licence shall be produced by such offender before the said justice or collector, by warrant under his hand and seal to cause the sum of five pounds to be forthwith levied by distress and sale of the offender or offenders goods, wares, or merchandizes, rendering the overplus, if any be, to the owner or owners thereof, after deducting the reasonable charges for taking the said distress, and out of the said sale to pay the penalty and forfeiture aforesaid.

XI. Provided always, and be it enacted by the authority aforesaid, That this act, or any thing herein contained, shall not extend to prohibit any person from selling any act of Parliament, form of prayer, proclamation, gazette, almanack, or other printed paper, or any fish, fruit, or victuals, nor to hinder any person or persons who are the real workers or makers of any goods or wares within this kingdom, or his or their wife or wives, apprentice or apprentices, from carrying abroad, exposing to sale, and selling any of the said goods or wares of his or their making in any publick fairs, markets, or elsewhere; or any tinker, cooper, glazier, plumber, harness-mender, or other persons, usually trading in mending kettles, tubs, household goods, or harness whatsoever, from going about such business

only, or from carrying with him or them proper materials for mending the ſame, and no other thing for ſale.

XII. Provided alſo, and be it enacted by the authority aforeſaid, That this act, or any thing herein contained, ſhall not extend to ſubject any perſon or perſons, who ſhall carry raw and unmanufactured wool, or frizes, or worſted or woollen ſtockings from one part of the kingdom to another, or expoſe the ſame to ſale in any fair, market, or other place in this kingdom, to any of the duties or penalties herein before mentioned; ſo as ſuch perſon or perſons ſhall not at the ſame time carry or expoſe to ſale any other goods, wares, or merchandizes, except the ſaid raw and unmanufactured wool, and the ſame frizes, and worſted and woollen ſtockings.

XIII. Provided alſo, and be it enacted by the authority aforeſaid, That this act, or any thing herein contained, ſhall not extend to prohibit or reſtrain any perſon or perſons from ſelling or expoſing to ſale, in any place or places whatſoever any flax, tow, hemp, flaxen yarn, hempen yarn, ticken, plain, ſtriped, chequered, painted, or ſtained linens, buckrams, or canvas, ſo as ſuch perſon or perſons ſhall not at the ſame time carry or expoſe to ſale any other goods, wares, or merchandizes, except ſuch flax, tow, hemp, flaxen yarn, hempen yarn, tickens, plain, ſtriped, chequered, painted, or ſtained linens, buckrams, or canvas as aforeſaid.

XIV. Provided alſo, and be it enacted by the authority aforeſaid, That this act, or any thing herein contained, ſhall not extend to ſubject any perſon or perſons, who ſhall carry any pots or griddles made of caſt iron or metal from one part of the kingdom to another, or expoſe the ſame to ſale in any fair, market, or other place in this kingdom, to the payment of any greater duty than the ſum of twenty ſhillings by the year in the whole, though ſuch perſon or perſons ſhall or may travel with one or more horſe or horſes, or other beaſt or beaſts drawing or bearing burthen; ſo as ſuch perſon or perſons ſhall not at the ſame time carry, or expoſe to ſale, any other goods, wares, or merchandizes, except the ſaid pots and griddles made of caſt iron or metal.

XV. Provided alſo, and be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the commiſſioners of his Majeſty's revenue, or any three or more of them for the time being, to order and direct to be paid out of the monies to be raiſed by this act to the ſaid collectors, their clerks, or any other perſons, ſuch ſums of money as they or any of them ſhall or may reaſonably deſerve for their ſervice, or ſhall or may have expended in the execution of or in relation to this act.

XVI. Provided alſo, and be it enacted by the authority aforeſaid, That this act, or any thing herein contained, ſhall not extend or be conſtrued to give any power for licenſing any hawker, pedlar, or petty chapman, to ſell or expoſe to ſale any wares, or merchandizes in any city, borough, town corporate, or market town within this realm, any otherwiſe than he or ſhe might have done before the making of this act; any thing herein contained to the contrary notwithſtanding.

XVII. And whereas it frequently happens that dealers, hawkers, and pedlars, in order fraudulently to evade the payment of his Majeſty's duty on licences do not openly travel from town to town, or to other men's houſes, but privately convey and carry their goods, wares, and merchandizes, and ſell or expoſe to ſale the ſame in ſhops, rooms, warehouſes, or other places hired for that purpoſe in cities, towns, and places, where they are not uſually reſident; and divers other perſons carry and convey their goods, wares, and merchandizes to publick ſtreets and places in cities, towns corporate, and other places in this kingdom, where they reſpectively reſide, but not adjoining or near to their dwelling houſes, or other apartments, and ſell or expoſe the ſame to ſale upon booths, ſtalls, or ſtandings, without licence: and whereas ſeveral people under the denomination of leather cutters or leather ſellers hawk about from town to town and expoſe to ſale in cities and towns corporate, and in fairs, markets, and in other places,

A. D. 1779-80. Chap. 9.

large and ſmall parcels of leather in booths, ſtalls, ſtandings, or otherwiſe; and alſo divers perſons under the denomination of cryers of old caſt cloaths do alſo hawk about the ſtreets of cities and towns corporate, and other places in this kingdom, old caſt cloaths, and alſo expoſe to ſale ſeveral of ſuch kind of goods on ſtands, or ſtalls, or otherwiſe without licence: and whereas a doubt hath ariſen, whether ſuch perſons as aforeſaid are to be deemed hawkers, pedlars, or petty chapmen, or trading perſons within the meaning and intention of former acts of Parliament made in this kingdom for licenſing hawkers and pedlars, and for the encouragement of Engliſh proteſtant ſchools, and ſubject to the penalties and forfeitures thereof: therefore be it enacted by the authority aforeſaid, That from and after the ſaid twenty fifth day of March one thouſand ſeven hundred and eighty, until the twenty fifth day of March one thouſand ſeven hundred and eighty two, all and every the perſons aforeſaid ſhall pay ſuch duty as aforeſaid, and take out ſuch licences in manner as aforeſaid; and in caſe any perſon or perſons whatſoever ſhall be found trading or ſelling, or expoſing to ſale, any goods, wares, or merchandizes whatſoever (except as herein is excepted) in any ſhop or ſhops, room or rooms, warehouſe or warehouſes, or other place or places in any city, borough, town corporate, market town, village, or other places in this kingdom, wherein he, ſhe, or they have not been reſident one calendar month previous to the ſelling or expoſing to ſale any goods, wares, or merchandizes (except as before excepted) and ſell or expoſe to ſale ſuch goods, wares, or merchandizes therein, or in any of them, without licence as aforeſaid, ſuch perſons reſpectively, and alſo all ſuch perſon or perſons as ſhall be found trading or ſelling, or expoſing to ſale, any goods, wares, or merchandizes whatſoever (except as aforeſaid) upon booths, ſtalls, ſtandings, or otherwiſe, in any publick ſtreet or ſtreets, place or places, in any city, borough, town corporate, market town, village, or other place within this kingdom, ſuch booths or other places of ſale not being adjacent or adjoining to his, her, or their dwelling houſe or houſes, ſhop or ſhops, warehouſe or warehouſes, or other apartments, and alſo all perſons under the denomination of leather cutters or leather ſellers, who ſhall hawk about from town to town, and ſell or expoſe to ſale in cities and towns corporate, or in fairs, marts, or markets, or other places, large or ſmall parcels of leather in or upon booths, ſtalls, ſtandings, or otherwiſe; and alſo all perſons under the denomination of cryers of old caſt cloaths, who ſhall hawk about the ſtreets, lanes, or alleys of cities and towns corporate, and other places in this kingdom, to purchaſe or ſell old caſt cloaths of any kind whatſoever, or ſhall ſell or expoſe to ſale any ſuch goods on ſtands, ſtalls, or otherwiſe, without licence as aforeſaid, all and every ſuch perſon and perſons ſhall be deemed and taken to be a hawker or hawkers, pedlar or pedlars, petty chapman or petty chapmen, within the meaning of this act to all intents and purpoſes, and ſhall be ſubject and liable to all and every the penalties and forfeitures by the ſame inflicted upon hawkers, pedlars, petty chapmen, and others trading without licence; any thing herein contained to the contrary notwithſtanding.

XVIII. And whereas it hath been found, that ſeveral hawkers, pedlars, and petty chapmen have reſpectively employed one or more other perſon or perſons, ſervant or ſervants, with him, her, or them, to carry about boxes, bundles, or parcels of goods, wares, and merchandizes on their backs, arms or otherwiſe, ſeparate and diſtinct from that or thoſe carried about by him, her, or themſelves, and have ſold and expoſed to ſale in booths, ſtands and ſtalls, or otherwiſe, as well the ſaid goods, wares, and merchandizes ſo carried by ſuch other perſon or perſons, ſervant or ſervants, as thoſe carried by him, her or themſelves, under the ſanction of one foot licence taken out by ſuch perſon or perſons ſo being or appearing to be the principal owner or proprietor thereof, without ſeparate or diſtinct licence or licences for ſuch other perſon or perſons, ſervant or ſervants; and it hath been alſo found, that by means and under the ſanction of one licence many perſons principal and ſeparate dealers, who have no connection with ſuch

perſon

perſon or perſons, having one licence only as aforeſaid, alſo fraudulently paſs under the denomination of his, her, or their ſervant or ſervants, and trade without licence, to the great injury of the fair trader and dealer with licence, and the great diminution of the ſaid tax on hawkers and pedlars: and whereas it is reaſonable, that a horſe licence ſhall be paid for, and taken for, every horſe, mule, aſs, or beaſt of burthen that ſhall be made uſe of or driven by every hawker, pedlar, and petty chapman: therefore be it enacted by the authority aforeſaid, That from and after the ſaid twenty-fifth day of March, one thouſand ſeven hundred and eighty, until the twenty-fifth day of March, one thouſand ſeven hundred and eighty two, every hawker, pedlar, and petty chapman, for every perſon that ſhall be employed, or carry, whether ſervant or other perſon in his or her company, or otherwiſe, any boxes or bundles, or parcels of goods, wares, or merchandizes on their backs, arms, or otherwiſe, ſeparate or diſtinct, for the purpoſe of ſelling or trading with the ſame, ſhall take out and pay for as aforeſaid a ſeparate and diſtinct foot licence for every ſuch perſon; and alſo that every hawker, pedlar and petty chapman, for every horſe, mule, aſs, or beaſt of burthen that he or ſhe ſhall make uſe of or drive, whether in his or her own company or otherwiſe, ſhall take out and pay for a ſeparate and diſtinct horſe licence; and ſuch ſeparate and diſtinct perſon, whether ſervant or other perſon employed or carrying ſuch boxes, bundles, or parcels as aforeſaid, and ſuch hawker, pedlar, or petty chapman, that ſhall not take out a horſe licence for every horſe or beaſt of burthen, he or ſhe ſhall make uſe of or drive as aforeſaid, ſhall be ſubject and liable to all and every the penalties and forfeitures by this act inflicted upon hawkers, pedlars, and petty chapmen, and others trading without licence; it being the true intent and meaning of this act, that for one foot licence no more goods, wares, or merchandizes ſhall by virtue of this act be hawked about for ſale as aforeſaid, than one perſon can well or reaſonably bear or carry or travel with, and for one horſe licence no more goods, wares, or merchandizes, ſhall by virtue of this act be carried about as aforeſaid, than one horſe, aſs, mule, or other beaſt of burthen, can well or reaſonably bear, or carry or travel with; any thing herein contained to the contrary notwithſtanding.

CHAP. X.

An Act for granting unto His Majeſty the ſeveral Duties, Rates, Impoſitions, and Taxes therein particularly expreſſed, to be applied to the Payment of the Intereſt of the Sums therein provided for, and towards the Diſcharge of the ſaid principal Sums, in ſuch Manner as therein is directed, and for ſuch other Purpoſes as are therein mentioned.

By 19 & 20 G. 3. c. 2. additional duties & aids from 25 Dec. 1779, to 24 June 1780, to pay 4 per cent. for ſums unpaid 25 Dec. 1779.

WHEREAS by an act of Parliament made and paſſed in the nineteenth and twentieth years of your Majeſty's reign, entitled, *An act for granting unto his Majeſty the ſeveral duties, rates, impoſitions, and taxes therein particularly expreſſed, to be applied to the payment of the intereſt of the ſums therein provided for, and towards the diſcharge of the ſaid principal ſums, in ſuch manner as therein is directed, and for ſuch other purpoſes as are therein mentioned*, ſeveral aids and additional duties were granted to your Majeſty, your heirs and ſucceſſors, from the twenty

A. D. 1779-80. Chap. 10.

fifth day of December one thouſand ſeven hundred and ſeventy nine to the twenty fourth day of June one thouſand ſeven hundred and eighty inclusive, to pay an intereſt for the ſeveral ſums in the ſaid recited act particularly mentioned, or ſo much thereof as ſhould remain unpaid on the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, to the perſon or perſons who lent the ſame, his, her, or their executors, adminiſtrators, or aſſigns, at the rate of four pounds *per centum per annum*, to commence from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhould be reſpectively paid their principal money at one entire payment: and whereas it was enacted in and by the ſaid recited act, that for all and every ſuch further ſum and ſums of money, not exceeding in the whole the ſum of two hundred and ten thouſand pounds, as ſhould be the prizes to the fortunate adventurers in the lottery therein mentioned, there ſhould be paid at the receipt of your Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the twenty fourth day of June one thouſand ſeven hundred and eighty, to the perſon or perſons who ſhould be entitled to the ſaid prizes reſpectively, his, her, or their executors, adminiſtrators, or aſſigns, an intereſt after the rate of four pounds *per centum per annum*, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhould be reſpectively paid the amount of their reſpective prizes at one entire payment: and whereas it was by the ſaid recited act further enacted, that debentures bearing intereſt after the rate of four pounds *per centum per annum*, ſhould be given to the proprietors of the fortunate tickets in the ſaid lottery as and for their reſpective prizes by the proper officers of his Majeſty's treaſury for all and every ſuch ſum and ſums of money, not exceeding in the whole the ſum of two hundred and ten thouſand pounds, as the proprietors of the ſaid fortunate tickets ſhould be reſpectively entitled unto: And whereas it was further enacted in and by the ſaid recited act, that for all and every ſuch further ſum or ſums of money, not exceeding in the whole the ſum of one hundred and forty thouſand pounds, excluſive of the ſaid ſum of two hundred and ten thouſand pounds, as ſhould be actually paid by any perſon or perſons into his Majeſty's treaſury at the inſtance of

and 4 *per cent.* for 210000l. lottery prizes from 24 June 1780,

for which debentures were to be given,

and for further loan not above 140000l. 3d. *per* day each 100l.

of his excellency the lord lieutenant or other chief governor or governors of this kingdom for the time being for the purpoſes therein mentioned, there ſhould be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine, or ſuch other ſubſequent day as his excellency the lord lieutenant or other chief governor or chief governors of this kingdom for the time being ſhould think proper to appoint, to the perſon or perſons ſo paying or lending the ſame, his, her, or their executors, adminiſtrators, or aſſigns, ſuch intereſt as ſhould be agreed upon by his excellency the the lord lieutenant or other chief governor or chief governors of this kingdom for the time being, not exceeding the rate of three pence by the day for each one hundred pounds, without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until they ſhould be reſpectively paid their principal money at one intire payment: and whereas the ſaid lottery has been eſtabliſhed, and will begin to be drawn on the twenty fourth day of June one thouſand ſeven hundred and eighty, and debentures to the amount of two hundred and ten thouſand pounds, to be iſſued to the holders of the fortunate prizes therein, will carry an intereſt after the rate of four pounds *per centum per annum* from the ſaid twenty fourth day of June aforeſaid: and whereas in purſuance of the ſaid recited act the ſaid ſum of one hundred and forty thouſand pounds has been or is agreed to be paid into his Majeſty's treaſury on or before the twenty fourth day of June one thouſand ſeven hundred and eighty, to carry an intereſt after the rate of three pence by the day for every one hundred pounds from the twenty fifth day of December one thouſand ſeven hundred and ſeventy nine: and whereas the ſeveral aids and duties granted to your Majeſty in and by the ſaid recited act have not proved ſufficient to pay and diſcharge the ſeveral principal ſums therein mentioned, and the intereſt of the ſame reſpectively: and whereas it is neceſſary to provide for the payment of ſuch part of the ſaid ſeveral principal ſums, carrying an intereſt at the rate of four pounds *per centum per annum*, as ſhall remain unpaid on the twenty fourth day of June one thouſand ſeven hundred and eighty, together with the intereſt thereof; and alſo to provide for the payment of the ſaid ſum of two hundred and ten thouſand pounds, or ſo much

ſaid lottery eſtabliſhed,

debentures for ſaid 210000l. at 4 *per cent.* from 24 *June* 1780,

ſaid 140000l. paid in before 24 *June* 1780, at 3d. *per* day every 100l.

duties by ſaid act inſufficient,

to provide for ſaid ſums at 4 *per cent.* as unpaid 24 *June* 1780,

and for ſaid 210000l. or the debentures iſſued,

A. D. 1779-80. Chap. 10.

much thereof as debentures ſhould be iſſued for, together with the intereſt thereof; and alſo to provide for the payment of the ſeveral annuities granted by an act paſſed in a ſeſſion holden in the thirteenth and fourteenth years of your Majeſty's reign, entitled, *An act for granting annuities in the manner therein provided to ſuch perſons as ſhall voluntarily ſubſcribe towards the raiſing a ſum, not exceeding the ſum of two hundred and ſixty five thouſand pounds*, which act was explained and amended by one other act paſſed in the ſame ſeſſion, entitled, *An act to explain and amend an act paſſed in this ſeſſion of parliament*, entitled, *An act for granting annuities in the manner therein provided to ſuch perſons as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty five thouſand pounds*, and alſo ſeveral annuities granted by one other act paſſed in the ſeſſion holden in the fifteenth and ſixteenth years of your Majeſty's reign, entitled, *An act for granting annuities in the manner therein provided, to ſuch perſons as ſhall voluntarily ſubſcribe towards raiſing a ſum, not exceeding the ſum of one hundred and ſeventy five thouſand pounds*, and alſo the ſeveral annuities by the ſaid firſt recited act made payable to the ſeveral perſons, who have ſubſcribed the ſum of three hundred thouſand pounds upon a ſcheme of life annuities, purſuant to a reſolution of the houſe of commons of Ireland in the laſt ſeſſion of parliament therein recited: and alſo to provide for the payment of the intereſt of the ſaid ſum of one hundred and forty thouſand pounds: we therefore your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in parliament aſſembled, do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that for ſo much of the ſaid ſeveral principal ſums ſo formerly borrowed as aforeſaid, as ſhall remain unpaid on the twenty fourth day of June one thouſand ſeven hundred and eighty, and for the ſaid ſum of two hundred and ten thouſand pounds for which debentures are to iſſue for prizes to the fortunate adventurers in the ſaid lottery, there ſhall be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or vice treaſurers, paymaſter or receiver general, his or their deputy or deputies, at the end of every ſix calendar months from the twenty fourth day of June one thouſand ſeven hundred and eighty to the perſon or perſons, who has or have paid or lent the ſame, or who ſhall receive any of the ſaid debentures for

and annuities by 13 & 14 G. 3. c. 5 & 7.

and 15 & 16 G. 3. c. 2.

and 19 & 20 G. 3. c. 2.

and intereſt of ſaid 140000l.

for ſo much of former loans as unpaid 24th *June* 1780, and for lottery debentures for 210000l.

4 *per cent.* intereſt from 24 *June* 1780, ſhall be paid half yearly without deduction, 'till principal at one payment.

prizes in the ſaid lottery, his, her, or their executors, adminiſtrators, or aſſigns, an intereſt at the rate aforeſaid of four pounds *per centum per annum* without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one intire payment.

Said annuities to ſubſcribers for 265000l. and 175000l. and 300000l. ſhall be regularly paid according to ſaid acts.

II. And be it enacted by the authority aforeſaid, that the ſeveral annuities granted by the ſaid recited acts to the ſeveral ſubſcribers, who advanced and paid the ſaid two ſeveral ſums of two hundred and ſixty five thouſand pounds and one hundred and ſeventy five thouſand pounds into his Majeſty's treaſury purſuant to the ſaid acts, and alſo the ſeveral annuities made payable by the ſaid firſt recited act to the ſeveral perſons who have ſubſcribed the ſaid ſum of three hundred thouſand pounds upon a ſcheme of life annuities, purſuant to the reſolution of the houſe of commons in the ſaid act recited, ſhall and may be regularly paid, as the ſame ſhall become due according to the true intent and meaning of the ſaid recited acts.

For ſaid loan of 140000l. intereſt from 24 *June* 1780, at 3d. *per* day *per cent.* free from all charge, 'till principal at 1 payment.

III. And be it further enacted by the authority aforeſaid, that for all and every ſuch ſum and ſums of money, not exceeding in the whole the ſaid ſum of one hundred and forty thouſand pounds, as have been or ſhall be actually paid by any perſon or perſons into his Majeſty's treaſury of this kingdom purſuant to the ſaid firſt recited act of parliament, there ſhall be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or vice treaſurers, his or their deputy or deputies, from the twenty fourth day of June one thouſand ſeven hundred and eighty to the perſon or perſons ſo paying or having paid the ſame, his, her, or their executors, adminiſtrators, or aſſigns, an intereſt after the rate of three pence by the day for every hundred pounds without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until they ſhall be reſpectively paid their principal money at one intire payment.

For further loan not exceeding 260000l. intereſt 4 *per cent.* half yearly from times of payment without deduction.

IV. And whereas it may be neceſſary, that a further ſum or ſums, not exceeding in the whole the ſum of two hundred and ſixty thouſand pounds, ſhall be raiſed to ſupply the deficiencies, that have ariſen in the aids granted heretofore and in this ſeſſion of parliament for the ſupport of your Majeſty's government, and the payment of the intereſt and annuities herein before mentioned: and whereas it may be expedient to raiſe ſuch further ſum or ſums of money, by all, or each, or any of the ways herein

A. D. 1779-80. Chap. 10.

herein after mentioned, that is to ſay, on loan by debentures to carry an intereſt after the rate of four pounds *per centum per annum*, or by treaſury bills, to carry an intereſt after the rate of three pence by the day for each one hundred pounds, or by one or more lottery or lotteries: we your Majeſty's moſt dutiful and loyal ſubjects, the commons of Ireland in parliament aſſembled, do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the authority aforeſaid, that for all and every ſuch ſum and ſums of money, not exceeding in the whole the ſum of two hundred and ſixty thouſand pounds, as ſhall at any time or times before the twenty fifth day of December one thouſand ſeven hundred and eighty one be publickly directed and appointed by his excellency the lord lieutenant or other chief governor or chief governors of this kingdom for the time being to be raiſed on loan by debentures towards ſupplying ſuch deficiencies as aforeſaid, and ſhall be actually paid by any perſon or perſons into his Majeſty's treaſury purſuant to ſuch direction or appointment, there ſhall be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the reſpective times of ſuch payments, to the perſon or perſons ſo paying or lending the ſame, his, her, or their executors, adminiſtrators, or aſſigns, an intereſt at the rate of four pounds *per centum per annum* without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one intire payment.

Debentures at 4 *per cent.* given, and numbered.

V. And be it further enacted by the authority aforeſaid, that debentures or receipts, bearing an intereſt after the rate of four pounds *per centum per annum*, ſhall be given by the proper officers of his Majeſty's treaſury for all and every ſuch ſum and ſums of money to be paid into the receipt of his Majeſty's exchequer, as have been heretofore given for ſuch parts of the ſeveral principal ſums formerly borrowed on loan by debentures; and the ſaid debentures or receipts ſo to be given ſhall be numbered in arithmetical progreſſion, where the common exceſs or difference is to be one, until the whole ſhall be numbered, beginning with the number next after the laſt number of the receipts or debentures for the ſums ſo formerly borrowed, and now ſtanding out, at an intereſt of four pounds *per centum per annum*, in manner aforeſaid.

VI. And

VI. And in caſe his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, ſhall at any time or times within the time aforeſaid publickly direct or appoint the whole or any part of the ſaid ſum of two hundred and ſixty thouſand pounds to be raiſed by treaſury bills; be it further enacted by the authority aforeſaid, that if no money ſhall have been raiſed by debentures in manner aforeſaid previous to ſuch appointment, there ſhall for all and every ſuch ſum and ſums of money, not exceeding in the whole the ſum of two hundred and ſixty thouſand pounds, as ſhall be actually paid into his Majeſty's treaſury by any perſon or perſons at the inſtance of his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, towards ſupplying ſuch deficiencies as aforeſaid, be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the twenty fourth day of June one thouſand ſeven hundred and eighty, or ſuch other ſubſequent day as his excellency the lord lieutenant, or other chief governor or chief governors of this kingdom for the being ſhall think proper to appoint, to the perſon or perſons ſo paying or lending the ſame, his, her, or their executors, adminiſtrators, or aſſigns, an intereſt after the rate of three pence by the day for each one hundred pounds without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as he, ſhe, or they ſhall be reſpectively paid his, her, or their principal money at one intire payment: but if any ſum or ſums of money ſhall have been raiſed on loan by debentures in manner aforeſaid previous to ſuch appointment, then for ſuch ſum or ſums of money as ſhall not, together with the ſum or ſums of money ſo raiſed by debentures, exceed in the whole the ſum of two hundred and ſixty thouſand pounds, and ſhall be actually paid into his Majeſty's treaſury by any perſon or perſons at the inſtance of his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, there ſhall be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the twenty fourth day of June one thouſand ſeven hundred and eighty, or ſuch other ſubſequent day as his excellency the lord lieutenant,

If appointed to be raiſed by treaſury bills, and none raiſed previous by debentures, intereſt at rate of 3d. *per* day *per cent.* half yearly from 24 *June* 1780, or ſubſequent day appointed, without any deduction, till principal at 1 payment,

but if any raiſed by loan on debentures previous to appointment, then for ſuch ſums, as ſhall not with ſaid debentures exceed 260000l.

A. D. 1779-80. Chap. 10.

lieutenant, or other chief governor or chief governors of this kingdom for the time being ſhall think proper to appoint, to the perſon or perſons ſo paying or lending the ſame, his, her, or executors, adminiſtrators, or aſſigns, an intereſt after the rate of three pence by the day for each one hundred pounds without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as he, ſhe, or they ſhall be reſpectively paid his, her, or their principal money at one intire payment.

Bills to bearer iſſued at treaſury at 3d. *per* day *per cent.*

VII. And be it further enacted by the authority aforeſaid, that for all and every ſuch ſum or ſums of money as ſhall be ſo directed to be raiſed by treaſury bills, and ſhall be actually paid into his Majeſty's treaſury, bills entitling the bearer to the amount of the ſums reſpectively ſpecified therein, declaring ſuch amount to be payable as herein after mentioned, ſhall be iſſued and given by the proper officers of his Majeſty's treaſury; ſuch bills to bear an intereſt at the rate of three pence by the day for each one hundred pounds, and to be numbered in arithmetical progreſſion, where the common exceſs or difference is to be one, until the whole ſhall be numbered, beginning with the number one.

and numbered.

If appointed to raiſe 2000001. by lottery,

VIII. And in caſe his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, ſhall at any time or times within the time aforeſaid publickly direct and appoint any ſum or ſums, not exceeding two hundred thouſand pounds, to be raiſed by one or more lottery or lotteries, be it enacted by the authority aforeſaid, that for all and every ſuch ſum and ſums of money, not exceeding in the whole the ſum of two hundred and ten thouſand pounds, which ſhall be the prizes to the fortunate adventurers in ſuch lottery or lotteries as may be directed for raiſing the ſaid ſum of two hundred thouſand pounds, there ſhall be paid at the receipt of his Majeſty's exchequer by the hands of the vice treaſurer or paymaſter general, vice treaſurers or paymaſters general, his or their deputy or deputies, at the end of every ſix calendar months, to be computed from the day or days ſuch lottery or lotteries ſhall begin to be drawn, to the perſon or perſons who ſhall be entitled to the prizes thereon reſpectively, his, her, or their executors, adminiſtrators, or aſſigns, an intereſt after the rate of four pounds *per centum per annum* without any fee or charge, and free from all deductions, defalcations, and abatements whatſoever, until ſuch time as he, ſhe, or they ſhall be reſpectively paid the amount of his, her, or their reſpective prizes at one entire payment.

for ſums not exceeding 2100001. prizes, 4 *per cent.* paid half yearly from the drawing begun, without deduction, 'till the amount at one payment.

IX. And

Debentures at 4 *per cent.* given for the prizes,

IX. And be it further enacted by the authority aforeſaid, that debentures bearing intereſt after the rate of four pounds *per centum per annum* ſhall be given to the proprietors of the fortunate tickets in ſuch lottery or lotteries, as the caſe ſhall be, as and for their reſpective prizes by the proper officers of his Majeſty's treaſury for all and every ſuch ſum or ſums of money, as the proprietors of the fortunate tickets in ſuch lottery or lotteries ſhall be reſpectively entitled unto; and the ſaid debentures or receipts ſo to be given in purſuance hereof ſhall be marked "lottery debentures," with the day and year ſuch lottery or lotteries reſpectively ſhall have begun to be drawn, and ſhall be numbered in arithmetical progreſſion, where the common exceſs or difference is to be one, until the whole ſhall be numbered, beginning with the number one.

marked and numbered.

If money raiſed on debentures previous to lottery, no more in the whole than 260000l.

X. Provided always, that in caſe any ſum or ſums of money ſhall be raiſed on loan by debentures in manner aforeſaid previous to the appointment of ſuch lottery or lotteries, there ſhall not be raiſed by any lottery or lotteries, to be eſtabliſhed by virtue of this act, any greater ſum or ſums of money in the whole, than ſuch ſum, as together with the money ſo raiſed by debentures, and the premiums to be given to the ſubſcribers of ſuch lottery or lotteries, ſhall amount in the whole to the ſum of two hundred and ſixty thouſand pounds.

If treaſury bills with ſaid debentures exceed 260000l. neat produce of ſubſcriptions to lottery applied to diſcharge ſo much as to reduce the whole to 260000l.

XI. Provided alſo, that in caſe the ſums raiſed upon treaſury bills by virtue of this act, ſhall together with the debentures aforeſaid, whether iſſued for money paid in part of the ſaid ſum of two hundred and ſixty thouſand pounds, or for payment of the prizes of ſuch lottery or lotteries to be eſtabliſhed by virtue of this act, exceed in the whole the ſum of two hundred and ſixty thouſand pounds, then and in ſuch caſe the neat produce of the ſubſcriptions to ſuch lottery or lotteries, after paying all neceſſary expences incurred thereby, ſhall be applied to diſcharge and pay off ſo much of the ſaid treaſury bills, as ſhall reduce the amount of treaſury bills and debentures together to the ſum of two hundred and ſixty thouſand pounds, ſo as that the nation ſhall not be made chargeable with any greater principal ſum by virtue of this act, however the ſame may be raiſed, than the ſum of two hundred and ſixty thouſand pounds.

the nation chargeable with no more however raiſed.

Notice of applying produce of lottery to pay off treaſury bills,

XII. And be it further enacted by the authority aforeſaid, that in caſe it ſhall be neceſſary at any time or times purſuant to the proviſions aforeſaid to apply the produce of ſuch lottery or lotteries, or any part thereof, to pay off any of the ſaid treaſury bills, publick notice ſhall be given thereof in ſuch manner, as

ſhall

A. D. 1779-80. Chap. 10.

shall be directed by his excellency the lord lieutenant, or other chief governor or governors of the kingdom for the time being, requiring all persons who hold any of the said bills, and are desirous to have the same discharged, to apply at the treasury at some day to be named in such notice, not more than twelve days distant, specifying the number and amount of his, her, or their bills; and such persons shall be paid off in the order they shall apply on said day, until the whole of the money to be applied at such time in discharge of treasury bills shall be paid; and in case a sufficient number of bills shall not be offered for discharge on said day, publick notice shall be given thereof in manner aforesaid, and that on some subsequent day to be named in such notice, not more than twelve days distant, on treasury bills issued by virtue of this act, begining with number one, and so progressively to the amount of the money then in the treasury applicable to the payment thereof, which amount shall be specified in such notice, will then be discharged, and in such notice the holders of the same shall be required to apply at the treasury on said day for payment, and if on said day any of the holders of such bills mentioned in the said notice shall omit or neglect to apply for payment of the same, all interest shall from and after said day cease thereon.

not above 12 days distant,

paid in order as they apply,

if not sufficient number offered, notice and a subsequent day as aforesaid,

and paid off progressively from number 1 to amount then in treasury,

if holders required in notice to apply, neglect, interest to cease.

XIII. And be it further enacted by the authority aforesaid, that all and every the said bills, which shall from time to time be discharged and paid off, shall be cancelled and made void immediately by the officer or officers of his Majesty's treasury, who shall discharge and pay the same.

Discharged bills cancelled immediately.

XIV. And be it further enacted by the authority aforesaid, that every treasury bill to be issued by virtue of this act shall and may from and after such time or times, not sooner than the said twenty fourth day of June one thousand seven hundred and eighty three, as his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being shall direct, if not sooner paid, be received, taken, and be current to any receiver or collector in this kingdom of the customs, excise, or any revenue, aid, or tax in this kingdom, for and in satisfaction of any custom, excise, revenue, aid, or tax then due, or thereafter to become due, or payable to your Majesty, your heirs and successors, and shall be taken, pass, and be current at the receipt of your Majesty's treasury, from every such receiver or collector for and in respect of the customs, excise, or any other revenue, aid, or tax, by him collected or received, at or after such time or times as shall be directed in manner aforesaid.

Such treasury bills after such time as by chief governor directed, (not before 24 *June* 1783) if not paid, taken for custom, excise, revenue, aid, or tax,

and at treasury from collector or receiver.

XV. Provided

XV. Provided alſo, and in order to avoid ſmall fractional diviſions of daily intereſt leſs than a farthing on ſaid bills; be it enacted by the authority aforeſaid, That no ſuch bill ſhall be iſſued for any ſum leſs than eight pounds ſix ſhillings and eight pence; and that every perſon, to whom any ſuch bill or bills is or are to be iſſued, ſhall or may at his or her option have and receive one bill or ſeveral bills for ſuch ſum, as he or ſhe ſhall chooſe; ſo as ſuch bill or bills, if more than one, do not exceed in the whole the amount of the money by him or her paid into the receipt of your Majeſty's treaſury in purſuance of this act; and ſo as that no bill do iſſue for any greater ſum than eight pounds, ſix ſhillings, and eight pence, except ſuch ſum as eight pounds, ſix ſhillings, and eight pence ſhall be the common diviſor of.

No ſuch bill under 8l. 6s. 8d.

option to receive one or ſeveral,

not above the money paid,

none above 8l. 6s. 8d. except ſuch as that the common diviſor.

XVI. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, to eſtabliſh one or more lottery or lotteries for the raiſing the ſum or ſums, which he or they ſhall direct and appoint to be raiſed thereby purſuant to the proviſions herein contained; and that every ſuch lottery or lotteries ſhall be drawn at ſuch time or times within the time aforeſaid, and conſiſt of ſuch number of tickets, at ſuch price or prices, and at ſuch time or times for payment of the ſubſcriptions, with ſuch premium to ſubſcribers in tickets, without coſt not exceeding one ticket for every twenty tickets ſubſcribed, and upon ſuch ſcheme or ſchemes of prizes as ſhall be appointed and directed by his excellency the lord lieutenant, or other chief governor or chief governors of this kingdom for the time being; and that ſuch lottery or lotteries ſo to be eſtabliſhed in purſuance of this act, ſhall be conducted and carried on with ſuch powers and authorities, and under ſuch direction, with ſuch form of books, ſuch mode of drawing, ſuch proviſions as to tickets redelivered or not ſubſcribed for, with ſuch powers and proviſions and rewards as to managers, clerks, and other officers, ſuch diſcount for ſubſcriptions advanced, ſuch or the like forfeiture for omitting to pay ſubſcriptions, ſuch powers to defray the incident expences neceſſarily to be incurred in the execution of ſuch lottery or lotteries, ſuch

Chief governor may eſtabliſh a lottery or lotteries for raiſing ſums appointed,

drawn, within times aforeſaid, ſuch number of tickets, prices, and times for payment, and premium not exceeding one for 20, and on ſuch ſcheme, as by chief governor directed,

conducted with like powers, proviſions, penalties, &c. as in 19 & 20 G. 3. c. 5.

A. D. 1779-80. Chap. 10.

proviſions for paying in the city of London the intereſt of debentures which ſhall be iſſued for prizes, ſuch penalties, forfeitures, proviſions, and remedies for ſuch offences, and all and every ſuch regulation as are ſeverally mentioned in an act paſſed this ſeſſion of Parliament, entitled, *An Act for eſtabliſhing a lottery, and for granting to his Majeſty a ſum of two hundred thouſand pounds to be raiſed thereby, and for ſuch other purpoſes as are therein mentioned*, as fully and effectually to all intents and purpoſes as if the ſame and every of them was herein particularly ſet forth and enacted to the ſaid lottery or lotteries ſo to be eſtabliſhed.

Expired 25 Dec. 1781.

XVII. And to the intent that the intereſt of the ſaid ſeveral ſums, ſo formerly borrowed and remaining unpaid, and the ſaid ſeveral annuities, and the intereſt of the ſaid ſum of two hundred and ten thouſand pounds, and the intereſt of the ſaid ſum of one hundred and forty thouſand pounds, and alſo the intereſt of the ſaid ſum of two hundred and ſixty thouſand pounds, or ſo much thereof as ſhall or may be borrowed or raiſed in purſuance of this act, may be duly and regularly paid; be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of June, which ſhall be in this preſent year one thouſand ſeven hundred and eighty, there ſhall be throughout your Majeſty's kingdom of Ireland raiſed, levied, granted, collected, and paid to your Majeſty, your heirs and ſucceſſors, until the twenty fifth day of December one thouſand ſeven hundred and eighty one incluſive, and no longer, over and above the ſeveral rates and duties payable by virtue of an act paſſed in the fourteenth and fifteenth years of the reign of his late Majeſty king Charles the ſecond, entitled, *An act for the ſettling of the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by virtue of one other act paſſed in the ſaid fourteenth and fifteenth years of the reign of the ſaid king Charles the ſecond, entitled, *An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tonnage, and other ſums of money unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland according to a book of rates hereunto annexed*, and over and above any other duties, rates, impoſitions, and taxes, granted to his Majeſty by any other act or acts of Parliament heretofore enacted in this kingdom, and ſtill in force, the ſeveral duties, rates, and impoſitions and taxes herein after mentioned (that is to ſay) an additional duty of ten pence *per* gallon for and upon every gallon of *aquavitæ*, ſtrong waters, or ſpirits made or diſtilled within this kingdom for ſale, to be paid by the firſt maker

or

or diſtiller thereof, from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and eighty until the twenty fifth day of December one thouſand ſeven hundred and eighty one inclusive; an additional duty of eight pence *per* gallon upon every gallon of brandy, ſtrong waters, and ſpirits perfectly made, and on ſpirits made and diſtilled of wine, not above proof, that ſhall be imported into this kingdom during the time aforeſaid, and ſo proportionably for a greater or leſſer quantity; and for every gallon of foreign ſpirits above the quality of ſingle ſpirits, which ſhall be imported into this kingdom during the time aforeſaid, an additional duty for ſuch ſpirits in proportion to the duties payable for ſingle ſpirits of the ſame denomination, according to the comparative degree of ſtrength which ſuch ſpirits ſhall bear to ſingle ſpirits of the ſame denomination; a further additional duty of four pence for and upon every gallon of rum or other ſpirits of the growth and produce of his Majeſty's ſugar colonies in America, which ſhall be imported into this kingdom during the time aforeſaid; a further additional duty of one ſhilling for and upon every gallon of brandy, geneva, and all other ſpirits, that ſhall be imported into this kingdom during the time aforeſaid, except ſpirits of the growth and produce of his Majeſty's ſugar colonies in America, over and above all other duties now payable for the ſame; and an additional duty of ſix pence a pack for and upon all painted or playing cards that ſhall be manufactured or vended in this kingdom during the time aforeſaid.

No fees to officers for ſums iſſued or paid.

XVIII. And be it further enacted by the authority aforeſaid, That neither the ſix pence *per* pound nor any other fee ſhall be payable to, nor be deducted or received by, the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of the iſſuing or payment of any ſum or ſums of money ariſing by or which ſhall be received for or on account of the aid hereby granted to his Majeſty, or of any payment to be made in purſuance hereof.

Said aids applied firſt to intereſt of former loans unpaid 24 June 1780,

XIX. And be it enacted by the authority aforeſaid, That the aids hereby granted unto your Majeſty ſhall in the firſt place be applied and paid by the vice treaſurer or vice treaſurers, his or their deputy or deputies, to the diſcharge of the intereſt of ſo much of the ſaid ſeveral principal ſums formerly borrowed as aforeſaid, as ſhall remain unpaid on the twenty fourth day of June one thouſand ſeven hundred and eighty; and in the next place to the payment of the annuities aforeſaid, and the expences which ſhall or may be incurred thereby, purſuant to the ſaid ſeveral recited acts, and the ſaid reſolutions of the houſe of commons during the laſt ſeſſions of Parliament; and in the next place to the diſcharge of the intereſt of ſuch ſums as aforeſaid, not exceeding

to ſaid annuities and expences thereby,

to intereſt of lottery debentures and expences,

A. D. 1779-80. Chap. 10.

two hundred and ten thouſand pounds, as debentures ſhall be iſſued for to pay the prizes in the ſaid lottery, to be drawn on the twenty fourth day of June one thouſand ſeven hundred and eighty, and the expences which ſhall or may be incurred by or on account of the managing or drawing the ſaid lottery; and to the diſcharge of the intereſt of the ſaid ſum of one hundred and forty thouſand pounds, or ſo much thereof as has been or ſhall be borrowed purſuant to ſaid firſt recited act; and alſo to the diſcharge of the intereſt of ſuch ſum or ſums, not exceeding in the whole the ſum of two hundred and ſixty thouſand pounds, as ſhall or may be raiſed or borrowed by virtue of this act.

to intereſt of ſaid 140,000l.

and 260,000l.

XX. And for that purpoſe be it further enacted by the authority aforeſaid, That the herein before mentioned act, entitled, *An act to explain and amend an act paſſed in this ſeſſion of Parliament*, entitled, *An act for granting annuities in the manner therein provided to ſuch perſons, as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty five thouſand pounds*, ſhall continue in force until the twenty fifth day of December, one thouſand ſeven hundred and eighty one, and no longer.

13 & 14 G. 3. c. 7. continued to 25 Dec. 1781.

XXI. And be it enacted by the authority aforeſaid, That the ſurplus or reſidue of the produce of the ſaid duties be applied towards the payment of the ſaid principal ſums formerly borrowed, and of the ſaid debentures which are to be iſſued for prizes as aforeſaid, carrying an intereſt after the rate of four pounds *per centum per annum*, and in the next place to the payment of ſuch ſum, not exceeding two hundred and ſixty thouſand pounds, as ſhall be raiſed or borrowed this ſeſſion of Parliament as aforeſaid.

Surplus of duties to principal of former loans and prize debentures, and next to ſaid loan of 260,000l.

XXII. And be it further enacted by the authority aforeſaid, That ſo much of the ſaid principal ſums formerly borrowed, and debentures to be iſſued, carrying an intereſt after the rate of four pounds *per centum per annum*, as ſhall remain due and unpaid on the twenty fifth day of December, which ſhall be in the year one thouſand ſeven hundred and eighty one, as alſo ſuch ſum or ſums of money, not exceeding the ſum of two hundred and ſixty thouſand pounds, as ſhall be raiſed or borrowed in purſuance of this act, and for which debentures carrying a like intereſt ſhall remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and eighty one, ſhall be well and truly ſatisfied and paid unto the ſeveral and reſpective perſons, their executors, adminiſtrators, and aſſigns, to whom the ſame ſhall be then due, together with all intereſt for the ſame, at the rate aforeſaid, without any deduction, defalcation, or abatement whatſoever.

So much of former loans and ſaid 260,000l. as unpaid 25 Dec. 1781, paid with all intereſt without any deduction.

Separate accounts kept of duties appropriated,

weekly abſtracts from collectors returned by commiſſioners

ſeparate returns by accountant general to vice treaſurers,

ſeparate receipts on payment to treaſury.

XXIII. And be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, a ſeparate and diſtinct account ſhall be kept by the proper officer of the aids, duties, and taxes granted hereby, or by any other act of Parliament now in force in this kingdom, and appropriated to particular uſes; and that the commiſſioners of his Majeſty's revenue ſhall return their weekly abſtracts from the ſeveral collectors to the accountant general; and that the accountant general ſhall return a ſeparate account of the ſeveral duties and taxes ſo appropriated to the vice treaſurer or vice treaſurers, his or their deputy or deputies; and that every collector or receiver of the ſaid duties and taxes do take a ſeparate receipt for the ſame, when paid into his Majeſty's treaſury; which receipt the vice treaſurer or vice treaſurers, his or their deputy or deputies, is and are hereby required to give accordingly.

All ſaid duties raiſed as by 14 & 15 *C.* 2. c. 8. or other exciſe law, with like appeal.

XXIV. And be it further enacted by the authority aforeſaid, That all and every the ſeveral and reſpective duties and rates hereby granted ſhall be raiſed, anſwered, collected and paid unto his Majeſty, his heirs and ſucceſſors, during the time aforeſaid at the ſame time, and in like manner, and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed in and by the ſaid act, made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An Act for the ſettling of the exciſe and new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relative to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes as if the ſame were particularly mentioned, ſpecified, and enacted in the body of this preſent act, with like remedy of appeal to and for the party grieved as in and by the ſaid act of exciſe, or any other law or laws now in being relative to the duty of exciſe, is provided.

For lottery tickets ſaid to be loſt with the mail, debentures given for any prizes as if produced,

XXV. And whereas by the ſaid recited act paſſed in this preſent ſeſſion of Parliament for eſtabliſhing a lottery it was enacted, "That the ſaid lottery ſhould conſiſt of forty two thouſand tickets, and whereas George Palmer of the city of Dublin, gentleman, did purchaſe twenty five tickets in the ſaid lottery, to wit, from number fifteen thouſand three hundred and one to fifteen thouſand three hundred and twenty five incluſive; and it is alledged, that the ſaid twenty five tickets were loſt with the mail

A. D. 1779-80. Chap. 10.

two hundred and ten thouſand pounds, as debentures ſhall be iſſued for to pay the prizes in the ſaid lottery, to be drawn on the twenty fourth day of June one thouſand ſeven hundred and eighty, and the expences which ſhall or may be incurred by or on account of the managing or drawing the ſaid lottery; and to the diſcharge of the intereſt of the ſaid ſum of one hundred and forty thouſand pounds, or ſo much thereof as has been or ſhall be borrowed purſuant to ſaid firſt recited act; and alſo to the diſcharge of the intereſt of ſuch ſum or ſums, not exceeding in the whole the ſum of two hundred and ſixty thouſand pounds, as ſhall or may be raiſed or borrowed by virtue of this act.

to intereſt of ſaid 140,000l.

and 260,000l.

XX. And for that purpoſe be it further enacted by the authority aforeſaid, That the herein before mentioned act, entitled, *An act to explain and amend an act paſſed in this ſeſſion of Parliament*, entitled, *An act for granting annuities in the manner therein provided to ſuch perſons, as ſhall voluntarily ſubſcribe towards the raiſing a ſum not exceeding the ſum of two hundred and ſixty five thouſand pounds*, ſhall continue in force until the twenty fifth day of December, one thouſand ſeven hundred and eighty one, and no longer.

13 & 14 G. 3. c. 7. continued to 25 Dec. 1781.

XXI. And be it enacted by the authority aforeſaid, That the ſurplus or reſidue of the produce of the ſaid duties be applied towards the payment of the ſaid principal ſums formerly borrowed, and of the ſaid debentures which are to be iſſued for prizes as aforeſaid, carrying an intereſt after the rate of four pounds *per centum per annum*, and in the next place to the payment of ſuch ſum, not exceeding two hundred and ſixty thouſand pounds, as ſhall be raiſed or borrowed this ſeſſion of Parliament as aforeſaid.

Surplus of duties to principal of former loans and prize debentures, and next to ſaid loan of 260,000l.

XXII. And be it further enacted by the authority aforeſaid, That ſo much of the ſaid principal ſums formerly borrowed, and debentures to be iſſued, carrying an intereſt after the rate of four pounds *per centum per annum*, as ſhall remain due and unpaid on the twenty fifth day of December, which ſhall be in the year one thouſand ſeven hundred and eighty one, as alſo ſuch ſum or ſums of money, not exceeding the ſum of two hundred and ſixty thouſand pounds, as ſhall be raiſed or borrowed in purſuance of this act, and for which debentures carrying a like intereſt ſhall remain unpaid on the ſaid twenty fifth day of December one thouſand ſeven hundred and eighty one, ſhall be well and truly ſatisfied and paid unto the ſeveral and reſpective perſons, their executors, adminiſtrators, and aſſigns, to whom the ſame ſhall be then due, together with all intereſt for the ſame, at the rate aforeſaid, without any deduction, defalcation, or abatement whatſoever.

So much of former loans and ſaid 260,000l. as unpaid 25 Dec. 1781, paid with all intereſt without any deduction.

XXIII. And be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, a ſeparate and diſtinct account ſhall be kept by the proper officer of the aids, duties, and taxes granted hereby, or by any other act of Parliament now in force in this kingdom, and appropriated to particular uſes; and that the commiſſioners of his Majeſty's revenue ſhall return their weekly abſtracts from the ſeveral collectors to the accountant general; and that the accountant general ſhall return a ſeparate account of the ſeveral duties and taxes ſo appropriated to the vice treaſurer or vice treaſurers, his or their deputy or deputies; and that every collector or receiver of the ſaid duties and taxes do take a ſeparate receipt for the ſame, when paid into his Majeſty's treaſury; which receipt the vice treaſurer or vice treaſurers, his or their deputy or deputies, is and are hereby required to give accordingly.

Separate accounts kept of duties appropriated, weekly abſtracts from collectors returned by commiſſioners ſeparate returns by accountant general to vice treaſurers, ſeparate receipts on payment to treaſury.

XXIV. And be it further enacted by the authority aforeſaid, That all and every the ſeveral and reſpective duties and rates hereby granted ſhall be raiſed, anſwered, collected and paid unto his Majeſty, his heirs and ſucceſſors, during the time aforeſaid at the ſame time, and in like manner, and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed in and by the ſaid act, made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An Act for the ſettling of the exciſe and new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relative to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes as if the ſame were particularly mentioned, ſpecified, and enacted in the body of this preſent act, with like remedy of appeal to and for the party grieved as in and by the ſaid act of exciſe, or any other law or laws now in being relative to the duty of exciſe, is provided.

All ſaid duties raiſed as by 14 & 15 *C.* 2. c. 8. or other exciſe law, with like appeal.

XXV. And whereas by the ſaid recited act paſſed in this preſent ſeſſion of Parliament for eſtabliſhing a lottery it was enacted, "That the ſaid lottery ſhould conſiſt of forty two thouſand tickets, and whereas George Palmer of the city of Dublin, gentleman, did purchaſe twenty five tickets in the ſaid lottery, to wit, from number fifteen thouſand three hundred and one to fifteen thouſand three hundred and twenty five incluſive; and it is alledged, that the ſaid twenty five tickets were loſt with the mail

For lottery tickets ſaid to be loſt with the mail, debentures given for any prizes as if produced,

A. D. 1779-80.

of the third of March laſt coming from Holyhead to this kingdom: be it enacted by the authority aforeſaid, That the ſaid George Palmer, his executors, adminiſtrators, and aſſigns, ſhall receive from the proper officer or officers of his Majeſty's treaſury in the ſaid act mentioned a debenture or debentures for the amount of the ſum or ſums contained in any prize or prizes, that may happen to ariſe in the ſaid lottery from the above mentioned twenty five numbers, or any of them, in like manner as if he or they had the ſaid tickets, or ſuch or them as ſhall prove fortunate in ſaid lottery, to produce to ſuch officer or officers; he the ſaid George Palmer, his executors, adminiſtrators, or aſſigns, firſt proving to the ſatisfaction of the ſaid officer or officers that ſuch tickets were his property, and were loſt as aforeſaid, and alſo giving unto ſuch officer or officers ſufficient ſecurity in the penalty of the amount of ſuch debenture or debentures, conditioned to indemnify ſuch officer or officers from any claim or demand from any other perſon or perſons whatſoever for any prize or prizes ariſing from any or either of ſaid numbers.

on proof of property and loſs, and ſecurity againſt any other demand.

CHAP. XI.

An Act for the Advancement of Trade, and for granting to His Majeſty, His Heirs and Succeſſors, the ſeveral Duties therein mentioned.

Expired 25 Dec. 1781.

WHEREAS the wealth and proſperity of this kingdom do very much depend upon the improvement of it's manufactures, and their profitable export: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, the ſeveral and reſpective cuſtoms, ſubſidies, and all other duties whatſoever payable to your Majeſty, your heirs and ſucceſſors, by any law or laws now in force upon the exportation of any goods or merchandizes the product or manufacture of this kingdom, except the alnage duties, ſhall ceaſe, determine, and be no longer due or payable for ſo much of the ſaid goods and merchandizes, as ſhall be exported from this kingdom to any other place than Great Britain, except ſuch goods and merchandizes touching which a ſpecial proviſion is herein after made; that is to ſay, provided always, that nothing herein contained ſhall extend, or be conſtrued to extend, to determine, alter, leſſen, or repeal any cuſtom or other duty payable on the exportation of any

ſkins

ſkins or hides, coney hair, or wool, hare's wool, hair of any ſort, horns, horſes, or live cattle of any ſort, aſhes, bacon, beef, pork, butter, greaſe, guts, hogs, lard, tallow, tongues, bones not manufactured, flax ſeed, hemp ſeed, linen yarn, linen rags, or ſhreds, rape cakes, ſoaper's waſte, tin unwrought, weld, wax, or wood, or proviſions of every ſort (except fiſh and corn, meal, malt, and flour, when the prices thereof exceed thoſe on or below which a bounty on their export is or ſhall be payable) to any place whatſoever; nor upon the exportation of the ſeveral ſaid recited articles, and alſo of iron and iron ware, leather, tanned, dreſſed, or tawed, ſhreds and points of leather, pelts, vellum, and parchment, ſoap, hops, allum, lead, lead ore, copperas, coals, wool cards, white woollen cloth, *lapis calaminaris*, glue and litherage of lead, to any of the Britiſh plantations in America or the Weſt Indies, or any of the Britiſh ſettlements on the coaſt of Africa; any thing herein contained to the contrary notwithſtanding.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons to export out of any port in this kingdom to any place, except Great Britain, all ſuch goods and merchandize the product or manufacture of this kingdom, as may be lawfully exported, without paying any ſubſidy or other duty whatſoever, other than the goods and merchandize touching which an exception or ſpecial proviſion is herein made; ſo as due entry be firſt made thereof at the cuſtomhouſe of the port, where the ſame ſhall be exported, in the ſame manner, and expreſſing the quantity and qualities of the reſpective goods, as was uſed and practiſed in reſpect of any goods exported before the making of this act; and ſo as the ſame be ſhipped by the proper officer for that purpoſe; and ſo as the exporter do firſt make oath before the cuſtomer, comptroller, collector, or other chief officer of ſuch port (which oath he is hereby empowered and required to adminiſter) that the ſaid goods are of Iriſh manufacture or product; or on failure thereof the ſaid goods and merchandizes, the product or manufacture of this kingdom, ſhall be liable to the payment of duties, as if this act had never been made, any law or uſage to the contrary notwithſtanding.

III. And whereas the removing, as far as may be, all obſtacles to the trading in the goods and merchandizes of other countries will tend to promote navigation, encreaſe ſhipping, and thereby extend the commerce of this kingdom: be it enacted by the authority aforeſaid, That if any goods or commodities, which have been or ſhall be legally imported, ſhall after payment of the duties charged and payable upon the

A. D. 1779-80. Chap. 11.

importation thereof be again exported by any merchant or trader within three years after the importation thereof to any Britiſh colony in America or the Weſt Indies, or any Britiſh ſettlement on the coaſt of Africa, and if due proof be made by certificate from the proper officer of the due entry and payment of the ſaid duties, and that all other requiſites have been performed, which are by law required in thoſe caſes, where the moiety of the ſubſidy inwards is to be repaid, by virtue of an act paſſed in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for ſettling the ſubſidy of poundage, and granting a ſubſidy of tonnage, and other ſums of money unto his royal Majeſty, his heirs and ſucceſſors, the ſame to be paid upon merchandizes imported and exported into or out of the kingdom of Ireland, according to the book of rates thereunto annexed*, that then the whole of the ſubſidy inwards, and the whole of the duties of import exciſe, and all other duties paid upon the importation thereof, ſhall without delay or reward be repaid and allowed to ſuch merchant or merchants ſo exporting the ſame within one month after demand thereof, ſave and except on all the ſeveral goods and merchandizes, exported to any Britiſh colonies in America or the Weſt Indies, or the Britiſh ſettlements on the coaſt of Africa, touching which any proviſion is herein after made; and alſo ſave and except on all ſuch goods and merchandizes exported to Great Britain, or elſewhere, in caſes where it is or ſhall be otherwiſe particularly provided this ſeſſion of Parliament; and alſo ſave and except the additional duty impoſed this ſeſſion of Parliament on imported herrings.

IV. And whereas ſeveral allowances are given in Great Britain upon the exportation thence of Britiſh manufactures, particularly thoſe made of ſilk or ſilk mixed, in the nature of a drawback of or compenſation for the high duties payable there on the importation of raw and thrown ſilk: and whereas high duties are likewiſe payable in this kingdom upon the importation of raw and thrown ſilk; and it ſeems juſt and reaſonable, that allowances of the ſame nature ſhould be likewiſe given upon the exportation from hence of any manufacture made in this kingdom of ſilk, or ſilk mixed with any other material, bearing ſuch proportion to the allowance given in Great Britain upon the like articles as the duties upon the importation of raw and thrown ſilk here bear to the duties payable in Great Britain upon the importation of raw and thrown ſilk there: be it enacted by the authority aforeſaid, That the ſeveral and reſpective allowances or ſums of money hereafter in this act expreſſed,

ſhall be paid to any perſon or perſons, who at any time or times after the twenty fourth day of June, one thouſand ſeven hundred and eighty, ſhall really and truly export out of this kingdom by way of merchandize any of the goods or commodities of the manufacture of this kingdom herein after particularly ſpecified, and ſo in proportion for any greater or leſs quantity; that is to ſay, for all ribbands and ſtuffs made in Ireland of ſilk only and exported, the ſum of one ſhilling and ſeven pence for every pound weight avoirdupoiſe; for all ſilks and ribbands, made in Ireland of ſilk mixed with gold or ſilver and exported, the ſum of two ſhillings and three half pence for every pound weight avoirdupoiſe; for all ſilk ſtockings, ſilk gloves, ſilk fringes, ſilk laces, ſtitching or ſewing ſilk, made in Ireland and exported, the ſum of eight pence for every pound weight avoirdupoiſe; for all ſtuffs made in Ireland of ſilk mixed, and grogram yarn, and exported, the ſum of four pence farthing for every pound weight avoirdupoiſe; for all ſtuff, made in Ireland of ſilk mixed with incle or cotton and exported, the ſum of ſix pence halfpenny for every pound weight avoirdupoiſe; for all ſtuff made in Ireland of ſilk and worſted and exported, the ſum of three pence farthing *per* pound weight avoirdupoiſe; for all wrought or manufactured gold or ſilver plate made in Ireland and exported, the ſum of ſix pence for every ounce troy weight; which ſeveral and reſpective allowances or ſums of money for each ſpecies of ſilk manufacture, or manufactured of ſilk mixed and wrought, or manufactured gold or ſilver plate, ſhall be paid and anſwered by the collector or other officer of the port, from whence the ſame ſhall be exported, upon demand, without taking fee or reward for the ſame, on oath being made by the exporter before ſuch collector or other officer of the port (which oath he is hereby empowered and required to adminiſter) that the ſaid goods are of Iriſh manufacture and exported or intended to be exported, and not relanded, or intended to be relanded in any part of Ireland; and on the exporter's likewiſe giving ſufficient ſecurity to the ſaid collector, or other officer of the port (which ſecurity any ſuch officer is hereby empowered to take in the name and to the uſe of his Majeſty, his heirs and ſucceſſors) by bond in the penalty of the value of the goods, conditioned that the ſaid goods ſhall not be relanded or brought on ſhore again in any port or part of this kingdom; and ſuch ſecurities ſhall be diſcharged in the manner hereafter mentioned; that is to ſay, for ſuch of the ſaid goods as ſhall be entered for or landed in Great Britain, the Iſlands of Guernſey, Jerſey, Alderney, Sark or Man, the condition of the bond ſhall be to bring in a certificate in diſcharge thereof within ſix months from the date of the bond, and within eighteen months for ſuch of the ſaid

as ſhall be entered for or landed in any of his Majeſty's plantations in America or the Weſt Indies, or the Britiſh ſettlements on the coaſt of Africa; which reſpective certificates for ſuch ſilks, ſtuffs, or other manufactures aforeſaid, as ſhall be landed in any port of the ſaid plantations or ſettlements, ſhall be ſigned by the officer or officers uſually ſigning certificates of a like nature there, importing that ſuch goods were there landed, and teſtifying the landing thereof; and for ſuch ſilks, ſtuffs, and other manufactures aforeſaid, as ſhall be entered for Great Britain, the iſlands of Jerſey, Guerniſey, Alderney, Sark, or the Iſle of Man, ſhall be ſigned by the proper officer or officers of his Majeſty's cuſtoms, and for want of ſuch officer reſiding in any of the ſaid iſlands, then by the governor of thoſe iſlands, or the deputy governor thereof reſpectively; and for ſuch ſilks, ſtuffs, or other manufactures as aforeſaid, as ſhall be ſo entered for any foreign port or place, to bring a certificate under the common ſeal of the chief magiſtrate in ſuch port or place, or under the hands and ſeals of two known Britiſh merchants then being at ſuch port or place, that ſuch ſilks or other manufactures were there landed; or ſuch bond or bonds ſhall be diſcharged, upon proof in either of the ſaid caſes that ſuch goods were taken by enemies, or periſhed in the ſeas, the examination and proof thereof being left to the judgment of the commiſſioners of the revenue for the time being.

V. And be it further enacted by the authority aforeſaid, That the ſaid ſeveral and reſpective allowances upon ſilk manufacture and manufacture of ſilk mixed ſhall and may be paid by the collector or other officer of the port out of any monies in his hands at the time ariſing out of any of the cuſtoms, exciſe, or additional duties granted to your Majeſty, and not appropriated to any particular purpoſe; and that the money ſo paid ſhall be accepted of in his account as ſo much paid to your Majeſty, and he is and ſhall be diſcharged thereof accordingly; and the ſaid allowance upon wrought or manufactured gold or ſilver plate ſhall and may be paid by the collector or other officer out of the monies ariſing from the duties granted to your Majeſty for the uſe of the corporation for promoting and carrying on the inland navigation in Ireland, and ſhall be accounted for and charged as paid for and on account of the ſaid corporation.

IV. Provided always, That the ſaid allowance on wrought plate ſhall be payable ſo long, only as the duty on wrought and unmanufactured plate ſhall continue.

VII. And

VII. And for the better preventing frauds on the entering any of the ſaid goods under a wrong denomination to the prejudice of the revenue, be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any ſearcher, or other proper officer of the revenue, after the entry of any of the ſaid goods, and before or after the ſhipping thereof, to open and ſtrictly examine every bale, truſs, cheſt, or other package, to ſee if the goods are right entered; and if on ſuch examination the goods ſhall be found to be right entered, the officer ſhall at his charge cauſe the ſame to be repacked to the ſatisfaction of the exporter, which charge ſhall be allowed to the ſaid officer by the commiſſioners of the revenue, if they ſhall think it reaſonable: but in caſe the ſaid officer ſhall find the ſaid goods or any part thereof to have been entered under a wrong denomination, or otherwiſe wrongfully entered, whereby your Majeſty would have been defrauded in the allowance to be paid on the exportation of ſuch goods contrary to the true intent and meaning hereof, all ſuch goods ſo wrong entered ſhall and may be ſeized, and the ſame as likewiſe the value thereof ſhall be forfeited and loſt, and ſhall and may be proſecuted, ſued for, levied, and applied in ſuch manner and form, and by ſuch ways and means, as are herein after preſcribed and mentioned.

VIII. Provided always, That the ſaid allowances ſhall not be demanded or made for any of the ſaid manufactures of ſilk mixed with gold and ſilver, where they are only ſo mixed at the edges or ends of the pieces; nor for any of the ſaid manufactures of ſilk mixed with other materials, unleſs two thirds at leaſt of the ends or threads of the warp, (by which is meant the length of the piece) be either all ſilk, or mixed or twiſted with ſilk in the warp, ſo as that ſuch ſilk ſhall be obvious and apparent to the view of the officer of the revenue, or unleſs the ſilk therein uſed ſhall be double the value at leaſt of the allowance intended to be obtained on the exportation thereof; and if any diſpute ſhall ariſe concerning any of the ſaid manufactures, that is to ſay, whether the ſame was made in Ireland, or touching the quality of the goods, the *onus probandi* ſhall be on the exporter, claimer, or owner thereof, and not on the officer.

IX. And whereas ſuch part of the trade between this kingdom and the Britiſh colonies in America, the Weſt Indies, and Britiſh ſettlements on the coaſt of Africa, as was not enjoyed by this kingdom previous to this preſent ſeſſion, can be enjoyed and have continuance ſo long, and in ſuch caſe only as the goods to be imported

A. D. 1779-80. Chap. 11.

from the ſaid colonies, plantations, or ſettlements into this kingdom, or to be exported from this kingdom to the ſaid colonies, plantations, or ſettlements, ſhall be liable to equal duties and drawbacks, and be ſubject to the ſame ſecurities, regulations, and reſtrictions, as the like goods are liable and ſubject to upon being imported from the ſaid colonies, plantations, or ſettlements into Great Britain, or exported from thence to ſuch colonies, plantations, or ſettlements reſpectively: be it enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, until the twenty fifth day of December, one thouſand ſeven hundred and eighty one inclusive, and no longer, there ſhall be raiſed, levied, collected, and paid to your Majeſty, your heirs and ſucceſſors, the ſeveral rates and duties herein after mentioned; that is to ſay, for and upon all ginger of the growth or produce of the Britiſh plantations in America or the Weſt Indies, which ſhall be imported into this kingdom during the time aforeſaid by any ſubject of this realm or any other of your Majeſty's dominions, an additional duty after the rate of thirty nine pounds nineteen ſhillings and ſix pence five twentieths of a penny, or if imported by any ſtranger, of thirty ſix pounds twelve ſhillings and eleven pence, ten twentieths of a penny, for every one hundred pounds value thereof, as the ſame is rated for cuſtom, and ſo in proportion for any greater or leſs quantity; for and upon all pitch of the growth or produce of the Britiſh plantations in America or the Weſt Indies, which ſhall be imported into this kingdom in any ſhip or veſſel not belonging to any of his Majeſty's ſubjects in Great Britain or Ireland, or whereof the maſter and more than one fourth of the mariners are not Britiſh or Iriſh, during the time aforeſaid, by any ſubject of this realm, or any other his Majeſty's dominions, an additional duty of nine pounds eighteen ſhillings and five pence thirteen twentieths of a penny for every forty laſts of twelve barrels great band, and of fourteen pounds ſix ſhillings and eight pence ſeventeen twentieths of a penny for every forty laſts of twelve barrels ſmall band, or if imported by any ſtranger of five pounds and two pence eighteen twentieths of a penny for the like quantity great band, and of eleven pounds nineteen ſhillings and two pence two twentieths of a penny for the like quantity ſmall band, and ſo in proportion for any greater or leſs quantity; for and upon all tar of the growth or produce of the Britiſh plantations in America or the Weſt Indies, which ſhall be imported into this kingdom in ſuch ſhipping as is aforementioned in reſpect of pitch during the time aforeſaid, by any ſubject of this realm, or any other your Ma-

jeſty's dominions, an additional duty of twelve pounds eight ſhillings and ſeven pence five twentieths of a penny for every forty laſts of twelve barrels each great band, and of ſixteen pounds four ſhillings and four pence one twentieth of a penny for every forty laſts of twelve barrels ſmall band, or if imported by any ſtranger, of ſeven pounds ten ſhillings and four pence ten twentieths of a penny for the like quantity great band, and of thirteen pounds ſixteen ſhillings and nine pence ſix twentieths of a penny for the like quantity ſmall band, and ſo in proportion for any greater or leſs quantity; for and upon all turpentine of the growth or produce of the Britiſh plantations in America or the Weſt Indies, which ſhall be imported into this kingdom in ſuch ſhipping as aforementioned in reſpect of pitch during the time aforeſaid, an additional duty of one ſhilling and one penny ſeven twentieths of a penny and one half of a twentieth for every one hundred pounds value thereof, as the ſame is rated for cuſtom, and ſo proportionably for any greater or leſs quantity; for and upon the ſeveral furs the growth or produce of the Britiſh plantations in America or the Weſt Indies, mentioned in the ſchedule, No. 1. hereto annexed, which ſhall be imported during the time aforeſaid, whether by ſubjects or ſtrangers reſpectively, as in ſaid ſchedule is expreſſed, the ſeveral and reſpective additional duties therein mentioned for every one hundred pounds value thereof, according to the rates therein ſeverally ſet forth, and ſo in proportion for any greater or leſs quantity; for and upon the ſeveral ſkins the growth or produce of the Britiſh plantations in America or the Weſt Indies, mentioned in the ſchedule, No. 2. hereto annexed, which ſhall be imported during the time aforeſaid, whether by ſubjects or ſtrangers reſpectively, as is in ſaid ſchedule expreſſed, the ſeveral and reſpective additional duties therein mentioned for every one hundred pounds value thereof, according to the rates therein ſeverally ſet forth, and ſo in proportion for any greater or leſs quantity; and for and upon all furs not mentioned and rated in ſaid ſchedule, number one, and for and upon all ſkins not mentioned and rated in ſaid ſchedule, number two, or rated among furs, or as leather, or pieces of ſkins, which ſhall be imported from the Britiſh colonies in America or the Weſt Indies during the time aforeſaid, the additional duties following; that is to ſay, for every one hundred pounds value upon oath of ſuch furs, if imported by any ſubject of this realm, or any other his Majeſty's dominions, an additional duty of thirteen pounds one ſhilling and ſix pence eighteen twentieths of a penny and three fourths of a twentieth, or if imported by a ſtranger of nine pounds fifteen ſhillings three

A. D. 1779-80. Chap. 11.

twentieths of a penny and three fourths of a twentieth; and for every one hundred pounds value upon oath of ſuch ſkins if imported by any ſubject of this realm, or any other his Majeſty's dominions, an additional duty of ſeventeen pounds fifteen ſhillings and ſix pence eighteen twentieths of a penny and three fourths of a twentieth, or if imported by a ſtranger of fourteen pounds nine ſhillings three twentieths of a penny and three fourths of a twentieth; and beſides, if ſuch furs ſhall be tawed or dreſſed, or ſuch ſkins be tanned, tawed, or dreſſed, and are not in ſaid ſchedules particularly charged as ſuch, then a further additional duty of thirty four pounds two ſhillings and ſix pence for every one hundred pounds of their real value upon oath; for and upon all piamento of the growth or produce of the Britiſh plantations in America or the Weſt Indies, which ſhall be imported from thence into this kingdom during the time aforeſaid, an additional duty after the rate of four pounds twelve ſhillings and three pence eighteen twentieths of a penny and three fourths of a twentieth for every four thouſand ſubtile pounds thereof; for and upon all hops of the growth or produce of the Britiſh plantations in America or the Weſt Indies, which ſhall be imported from thence into this kingdom during the time aforeſaid, an additional duty after the rate of thirty five pounds twelve ſhillings and nine pence fifteen twentieths of a penny and one third of a twentieth for every ſeven hundred and forty ſix ſubtile pounds, and two thirds of a pound thereof, and ſo proportionably for any greater or leſs quantity; for and upon the ſeveral hides the produce of the Britiſh plantations in America or the Weſt Indies, mentioned in the ſchedule, number three, hereto annexed, which ſhall be imported during the time aforeſaid, whether by ſubjects or ſtrangers reſpectively, as is in ſaid ſchedule expreſſed, the ſeveral and reſpective additional duties therein mentioned for every one hundred pounds value thereof, according to the rates therein ſeverally ſet forth, and ſo in proportion for any greater or leſs quantity; for and upon all train oil or blubber made of fiſh caught by any ſhipping belonging to any of his Majeſty's colonies or plantations in America, and imported in ſuch ſhipping during the time aforeſaid, an additional duty after the rate of one pound ſeven ſhillings and nine pence and fifteen twentieths of a penny for every ſixteen tons and two thirds of a ton thereof, and ſo in proportion for any greater or leſs quantity; for and upon all rice of the growth or produce of the Britiſh plantations in America or the Weſt Indies, which ſhall be imported during the time aforeſaid by any ſubject of this realm or any of his Majeſty's dominions, an additional duty after the

rate

rate of thirteen pounds thirteen ſhillings and four pence thirteen twentieths of a penny and three fourths of a twentieth, or if imported by a ſtranger, of ten pounds twelve ſhillings and nine pence three twentieths of a penny and three fourths of a twentieth for every one hundred pounds value thereof, as the ſame is rated for exciſe, and ſo in proportion for any greater or leſs quantity; for and upon all ſpeckle wood which ſhall be imported from Africa during the time aforeſaid, an additional duty after the rate of ten pounds one ſhilling and eleven pence farthing for every hundred pounds value thereof, as the ſame is rated for cuſtoms, and ſo in proportion for any greater or leſs quantity.

X And be it enacted by the authority aforeſaid, That the ſaid ſeveral additional duties ſhall be raiſed, levied, and paid down in ready money net without any diſcount or allowance, over and above all other duties payable for the ſaid articles reſpectively by virtue of any act or acts of Parliament heretofore made in this kingdom.

XI. And be it further enacted by the authority aforeſaid, That the ſeveral duties following ſhall be raiſed, anſwered, levied, collected, and paid unto your Majeſty, your heirs and ſucceſſors, from the twenty fourth day of June, one thouſand ſeven hundred and eighty until the twenty fifth day of December, one thouſand ſeven hundred and eighty one inclusive; that is to ſay, for and upon the ſeveral ſkins, furs, and other articles the growth, produce, or manufacture of the Britiſh plantations in America or the Weſt Indies, mentioned in the ſchedule, No. 4. hereunto annexed, which ſhall be imported during the time aforeſaid whether by ſubjects or ſtrangers, as is in the ſaid ſchedule mentioned, the ſeveral and reſpective duties therein mentioned for every one hundred pounds value thereof, according to the rates therein ſeverally ſet forth, and ſo in proportion for any greater or leſs quantity; for and upon all train oil or blubber made of fiſh caught by any ſhipping belonging to any of his Majeſty's colonies or plantations in America, and imported in ſhipping belonging to Great Britain or Ireland during the time aforeſaid, a duty of eight pounds ſeven ſhillings and nine pence ſeven twentieths and one half of a twentieth for every ſixteen tons and two thirds of a ton thereof, and ſo in proportion for any greater or leſs quantity; for and upon all whale fins the produce of whales caught in the gulf or river of ſaint Lawrence, or on the coaſt of Newfoundland or of any other Britiſh colony in America, by any ſhipping belonging to any of the ſaid colonies, a duty af-

A. D. 1779-80. Chap. 11.

ter the rate of five pounds eight ſhillings, and fifteen twentieths of a penny for every two ton thereof imported in ſuch ſhipping, but if imported in ſhipping belonging to any native or natives of Great Britain or Ireland, a duty after the rate of two pounds fourteen ſhillings ſeven twentieths of a penny and one half of a twentieth only for the like quantity, and ſo in proportion for any greater or leſs quantity; for and upon all copper ore of the produce of the Britiſh plantations in America, which ſhall be imported during the time aforeſaid by any ſubject of this realm, or any other his Majeſty's dominions, a duty of twenty ſeven pounds four ſhillings and ſix pence eighteen twentieths of a penny and three fourths of a twentieth, or if imported by any ſtranger of twenty eight pounds thirteen ſhillings three twentieths of a penny, and three fourths of a twentieth for every forty tons thereof, and ſo in proportion for any greater or leſs quantity; for and upon all gum ſenega or gum arabic, which ſhall be imported from the Britiſh ſettlements on the coaſt of Africa, or the Britiſh plantations in America or the Weſt Indies, into this kingdom during the time aforeſaid, a duty after the rate of one pound ſeventeen ſhillings and eleven pence for every one hundred pounds value thereof, as the ſame is rated for cuſtom inwards, and ſo in proportion for any greater or leſs quantity; for and upon all maſts, yards, and bowſprits of the growth or produce of the Britiſh plantations in America, which ſhall be imported during the time aforeſaid in any ſhip or veſſel not belonging to his Majeſty's ſubjects in this kingdom or Great Britain, and whereof the maſter and more than one fourth of the mariners are not Britiſh or Iriſh ſubjects, a duty after the rate of twenty one pounds ſeventeen ſhillings and eleven pence five twentieths of a penny for every one hundred pounds value thereof, as maſts are rated for cuſtom, conſidering yards and bowſprits as maſts; and for and upon all beaver ſkins the produce of the ſaid plantations, which ſhall be imported during the time aforeſaid, a duty of one penny two twentieths of a penny and three fourth parts of a twentieth for each ſkin.

XII. Provided always, and be it further enacted by the authority aforeſaid, That the ſaid ſeveral laſt mentioned duties in the ſchedule, No. 4. and on train oil, whale fins, copper ore, gum ſenega, maſts, yards, and bowſprits, and beaver ſkins, ſhall be in lieu and full ſatisfaction of all cuſtoms, ſubſidies, and duties whatſoever, payable on the ſaid ſeveral articles by virtue of

any law or laws heretofore made in this kingdom, and ſhall be ſeverally paid down in ready money net, without any diſcount or allowance whatſoever.

XIII. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and eighty no duty, ſubſidy, or cuſtom ſhall be paid on the import of the articles following, any law or ſtatute to the contrary notwithſtanding; that is to ſay, of any wood, plank, or timber whatſoever, wrought or unwrought, or lumber being of the growth or produce of the Britiſh plantations in America or the Weſt Indies (unleſs when it has been or ſhall be otherwiſe provided by this or any other act paſſed or to be paſſed this ſeſſion of Parliament) except maſts, yards, and bowſprits, imported in other than Britiſh or Iriſh ſhipping as above mentioned; nor of any clean, good, merchantable, well conditioned tar or pitch not mixed with droſs or water, or any clean, good merchantable turpentine which ſhall be imported directly from any of the Britiſh colonies in America or the Weſt Indies, being the growth and produce of the ſame, in any ſhip or veſſel belonging to his Majeſty's ſubjects in Great Britain or Ireland, whereof the maſter and three fourths of the mariners at leaſt are Iriſh or Britiſh; nor of any cotton wool, indigo, Brazil or Fernambucco wood, Braziletto or Jamaica wood, logwood, Nicorago, red or Guinea wood, Sapan wood, or any wood for dyers uſe, imported from any place whatſoever, except ſpeckled wood from Africa; nor of mohogany or other wood the product of any part of America, nor of any whale fins, or train oil or blubber, which are the produce of whales taken or caught in any part of the ocean by and imported in any ſhip or veſſel belonging to his Majeſty's ſubjects in this kingdom, Great Britain, Guernſey, Jerſey, or the iſle of Man; nor of any raw and undreſſed goat ſkins imported in Britiſh or Iriſh ſhips navigated according to law from any port or place whatſoever, nor of any raw and undreſſed ſeal ſkins taken and caught by the crews of veſſels belonging to and fitted out from this kingdom, Great Britain, Jerſey, Guernſey, or Man, whereof the captain or maſter, and three fourths of the mariners at the leaſt are his Majeſty's ſubjects, or by perſons employed by the maſters or owners of ſuch veſſels; nor of any raw ſilk of the growth or culture of any of his Majeſty's colonies or plantations in America; nor of any pig or bar iron made in and imported from any Britiſh colonies in America.

XIV. Provided always, That due entry be firſt made of ſaid articles reſpectively at the time of importation as practiſed heretofore; and that the ſame be landed in the

A. D. 1779-80. Chap. 11.

preſence of the proper officer, or on failure thereof every of the ſaid articles, wherein ſuch failure ſhall be made, ſhall be liable to the payment of duty as if this act had never been made.

XV. Provided alſo, That the captain or perſon, having the charge or command of the ſhip or veſſel importing ſuch ſeal ſkins, do make oath before the collector or other principal officer at the port of importation, who is hereby required and authorized to adminiſter the ſame, that the ſeal ſkins imported therein are really and *bona fide* the ſkins of ſeals taken and caught by the crews thereof, or by perſons employed by the maſter or owner of ſuch ſhip or veſſel; and on failure thereof ſuch ſkins ſhall be liable to the payment of duties, as if this act had never been made.

XVI. Provided alſo, That the maſter, commander, or other perſon taking charge of any ſhip or veſſel importing ſuch raw ſilk, do deliver to the collector or other chief officer of the port of importation at or before entry of ſaid ſilk a certificate of like nature, as any maſter, commander or other perſon would or ought to have received at the port, where any ſuch raw ſilk was put on board, in order to intitle him to land the ſame duty free in Great Britain, and do alſo make oath (which oath ſuch officer is hereby impowered and required to adminiſter) that the bales, parcels, and goods contained in ſuch certificate are the ſame, which were taken on board in the ſaid Britiſh colonies or plantations; and on failure of any of the ſaid requiſites all ſuch raw ſilk ſhall be liable to the payment of duties, as if this act had not been made.

XVII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall from and after the ſaid twenty fourth of June one thouſand ſeven hundred and eighty make or cauſe to be made any entry or entries of any foreign raw ſilk under the name or deſcription of raw ſilk of the growth or culture of the Britiſh colonies or plantations in America, or ſhall mix or cauſe to be mixed any foreign raw ſilk with raw ſilk of the growth or culture of the Britiſh colonies or plantations in America, in order to evade the duties payable on foreign raw ſilk, every perſon ſo making or cauſing to be made ſuch entry or entries, or mixing or cauſing ſuch mixture or mixtures to be made, ſhall forfeit the ſum of fifty pounds for every ſuch offence; and all ſuch foreign raw ſilk, and in caſe of any mixture the quantity ſo mixed both of foreign and Britiſh plantations growth, or the value thereof, together with the bales or other packages containing

the

the ſame ſhall be forfeited, and ſhall and may be ſeized and proſecuted, or the value thereof be ſued for by any officer or officers of his Majeſty's revenue to be recovered in manner herein after mentioned.

XVIII. Provided always, That if any doubt or diſpute ſhall ariſe, whether the ſaid raw ſilk or any part thereof, ſo to be imported as aforeſaid, is of the growth or culture of the Britiſh plantations or colonies in America, or of foreign growth or culture, the *onus probandi* ſhall lie on the owner or claimer thereof, and not on the informer or proſecutor.

XIX. And be it enacted by the authority aforeſaid, That the ſeveral additional drawbacks mentioned in the ſaid ſchedules, number one, two, and three, ſhall be allowed and paid on the ſeveral articles in ſaid ſchedules contained reſpectively, which ſhall not have been imported before the twenty fourth day of June one thouſand ſeven hundred and eighty, and which ſhall be exported by any merchant or trader within three years after importation, for every one hundred pounds value thereof, according to the rates therein mentioned, over and above all drawbacks allowed or payable by any law now in force, or by any cuſtom or uſage whatſoever, and ſo in proportion for any greater or leſs quantity; and that the ſeveral drawbacks following, and no other be allowed and paid to any merchant or trader exporting within three years ſuch of the articles following reſpectively, as ſhall be imported from any of the Britiſh colonies in America or the Weſt Indies, and ſhall have paid the duties herein before mentioned; that is to ſay, for every ſixteen ton and two thirds of a ton of train oil or blubber, caught by any ſhipping belonging to any of his Majeſty's colonies or plantations in America, and imported in ſuch ſhipping, the ſum of eight pounds ten ſhillings and four pence farthing; but if imported in ſhipping belonging to any native or natives of Great Britain or Ireland the ſum of ſeven pounds two ſhillings twelve twentieths of a penny and one half of a twentieth; for every two ton of whale fins, whereon the aforementioned duty of five pounds eight ſhillings and fifteen twentieths of a penny ſhall have been paid on import, the ſum of two pounds ſixteen ſhillings ſeven pence one fourth of a penny; and for every two tons thereof, whereon the aforementioned duty of two pounds fourteen ſhillings ſeven twentieths of a penny and one half of a twentieth, ſhall have been paid on import, the ſum of one pound eighteen ſhillings and three pence twelve twentieths of a penny, and one half of a twentieth; for every five ton of ginger the ſum of fifty one pounds ten ſhillings and three fourths of one

A. D. 1779-80. Chap. 11.

penny; for every forty laſts of pitch or tar, great or ſmall band, the ſum of nineteen pounds ſix ſhillings and five pence three fourths of a penny; for every four thouſand ſubtile pounds of piamento the ſum of thirty pounds ſix ſhillings and ten pence eight twentieths of a penny and three fourths of a twentieth; for every ten ton of turpentine the ſum of nineteen pounds nineteen ſhillings three pence ſeventeen twentieths of a penny and one half of a twentieth; for every forty ton of copper ore the ſum of twenty four pounds thirteen ſhillings one penny eight twentieths of a penny, and three fourths of a twentieth; for every ſeventy five hundred weight of rice the ſum of twenty four pounds thirteen ſhillings one penny eight twentieths of a penny, and three fourths of a twentieth, and ſo in proportion for any greater or leſs quantities; and for the ſeveral articles in the ſchedule number four contained the ſeveral ſums therein ſeverally ſet forth, to be drawn back for every one hundred pounds value thereof according to the rates reſpectively mentioned.

XX. Provided always, That none of ſaid drawbacks be paid on exportation of any articles, except in caſes where duties are charged, and ſhall have been paid on their import, by virtue of this act; nor in any caſe unleſs due proof be firſt made in manner uſually practiſed, that all the duties required to be paid on import thereof have been fully paid and ſatisfied.

XXI. And be it further enacted by the authority aforeſaid, That all duties whatſoever paid on the impott of any white callicoes or muſlins ſhall be fully drawn back and repaid for all ſuch, as ſhall be printed, ſtained, painted, or dyed in this kingdom, and ſhall be afterwards exported to any Britiſh colony in America or the Weſt Indies, or any Britiſh ſettlement on the coaſt of Africa, and alſo for all ſuch as ſhall be exported to any of the ſaid places without being ſo printed, ſtained, or dyed.

XXII. And be it further enacted by the authority aforeſaid, That the ſaid drawbacks ſhall be paid and ſatisfied by the ſeveral collectors at the ports of exportation out of any money ariſing from any aids or duties by them collected in the ſame manner, and ſubject to the ſame regulations, as is or are uſually obſerved in the caſe of drawbacks.

XXIII. And be it further enacted by the authority aforeſaid, That the ſeveral duties following be raiſed, levied, and paid to your Majeſty, your heirs and ſucceſſors, on the ſeveral articles following, which ſhall be exported during the time aforeſaid,

that is to ſay; for and upon all gum ſenega and gum arabic the ſum of fifty nine pounds fourteen ſhillings and four pence halfpenny for every tun weight thereof ſo exported; for and upon all cotton wool of the growth or produce of the Britiſh plantations in America or the Weſt Indies, ſo exported in any other ſhipping than Britiſh or Iriſh ſhipping, the ſum of five pounds thirteen ſhillings and nine pence for every hundred pounds value thereof upon oath, and ſo in proportion for any greater or leſs quantities; for and upon every beaver ſkin the ſum of ſeven pence nineteen twentieths of a penny and one fourth of a twentieth; for and upon every pound of beaver wool the ſum of one ſhilling and eight pence nine twentieths of a penny and one half of a twentieth; for and upon every piece of white woollen cloth, called broad cloth, of the manufacture of Ireland the ſum of five ſhillings and eight pence farthing; for and upon the ſeveral articles in the ſchedule, No. 5. hereunto annexed a duty after the rate of two pounds ſixteen ſhillings and ten pence halfpenny for every hundred pounds value thereof according to the rates in ſaid ſchedule mentioned; and for and upon all Eaſt Indian white callicoes and muſlins, which ſhall be exported to any Britiſh colony in America or the Weſt Indies, a duty after the rate of two pounds nineteen ſhillings and ſeven pence for every one hundred pounds value thereof, as the ſame ſhall have been ſold by the candle at the Eaſt India company's ſales, or at any other publick ſales, if the ſame ſhall have been taken and condemned as prize, or as forfeited upon any act of revenue; the ſaid ſeveral duties to be paid nett in ready money, and to be in lieu and full ſatisfaction of all other duties now payable on the exportation of ſaid articles by virtue of any act or acts now in force, except the alnage duty on the ſaid white woollen cloth.

XXIV. Provided always, That no duty, ſubſidy, or cuſtom, ſhall be payable on the export of any cotton wool of the growth or produce of the Britiſh plantations in America or the Weſt Indies in Britiſh or Iriſh ſhipping, nor upon any lead ore exported to Great Britain.

XXV. And be it further enacted by the authority aforeſaid, That all and every perſon, who ſhall from and after the twenty fourth day of June one thouſand ſeven hundred and eighty import directly from any of the Britiſh colonies in America or the Weſt Indies in any ſhip or veſſel belonging to the ſaid colonies, or Great Britain, or Ireland, and manned as in ſuch caſe is uſual, any good and merchantable in-

A. D. 1779-80. Chap. 11.

digo, free from any falſe mixtures, and fit for dyer's uſe, being the growth or product of the colony from whence the ſame is imported, ſhall have and be intitled to a reward or premium for ſuch importation after the rate of four pence for every pound weight thereof to be paid on the demand of the importer by the collector or other chief officer of the port, where the ſame ſhall be imported, out of any money ariſing from any aid or duties payable to his Majeſty, his heirs or ſucceſſors, by virtue of this act then in his hands.

XXVI. And be it further enacted by the authority aforeſaid, That on the importation of any indigo into this kingdom from the ſaid places a certificate ſhall be given by the maſter or commanding officer of ſuch ſhip or veſſel importing ſuch indigo, that the ſame was ſhipped on board ſuch ſhip or veſſel within ſuch Britiſh colony or plantation in America, as is mentioned in the ſaid certificate, and alſo a certificate, ſigned by the ſurveyors, land waiters, or ſearchers, or any two of them, being officers of the revenue of the port where the ſame is entered and landed in this kingdom, ſpecifying the weight thereof, and that the ſaid indigo is good and merchantable, free from falſe mixtures, and of ſuch quality as to be intitled to the ſaid premium or reward; which certificate the ſaid officers are hereby required to grant within ten days next after the landing thereof, unleſs they can aſſign ſufficient cauſe for their refuſal; upon producing which ſeveral certificates to the proper officer as aforeſaid, ſuch officer ſhall be, and is hereby required to pay the premium to the importer of ſaid indigo.

XXVII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall make or cauſe to be made an entry or entries of foreign made indigo under the name of Britiſh plantation made indigo, or ſhall mix or cauſe to be mixed any foreign indigo, or other falſe mixture or matter, with that made in the Britiſh plantations in order to claim or recover the premium as before mentioned, every perſon or perſons ſo making or cauſing to be made ſuch entry or entries, or mixing or cauſing ſuch mixtures to be made, ſhall forfeit all ſuch indigo ſo entered; and in caſe of ſuch mixture the quantity ſo mixed, both foreign and Britiſh plantation made, and likewiſe double the value thereof, ſhall be forfeited by the perſon or perſons, who ſhall make or cauſe ſuch mixture or mixtures to be made.

XXVIII. And be it further enacted by the authority aforeſaid, That no certificate ſhall be made out to allow the premium for ſuch indigo to be made in and imported from

from the Britiſh plantations, that is not good and merchantable, and free from falſe mixture.

XXIX. And that the officers of the revenue may be the better able to diſcover any frauds intended for the receiving the aforeſaid premiums, be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid officers, and they are hereby required, before they make out any ſuch certificate, to examine the ſaid indigo by opening each package and ſhifting the ſame in ſuch manner as to ſee the whole contents, or by ſuch other means as they ſhall think proper to find out and diſcover whether the indigo is good and merchantable, and free from any falſe mixture.

XXX. And in order to fix the ſtandard of ſuch indigo, as ſhall be intitled to the premium aforeſaid, be it further enacted by the authority aforeſaid, that no certificate ſhall be granted by any ſurveyor or other officer of his Majeſty's revenue for any indigo, which is not worth three ſhillings the pound weight, when the beſt French or other indigo of equal goodneſs with the beſt French is worth four ſhillings the pound weight, and ſo in the ſame proportion, in caſe the price of the beſt French or other indigo of equal goodneſs ſhall be at a higher or lower price.

XXXI. And be it further enacted by the authority aforeſaid, That no fee, gratuity, or reward ſhall be demanded, taken, or received by any officer of his Majeſty's revenue for the examining, viewing, or delivering ſuch indigo, with reſpect to the premium or reward allowed by this act, or for the ſigning any of the certificates in order to the receiving ſuch premium or reward, or for paying the ſame; and any ſuch officer demanding or taking ſuch fee or reward ſhall for ſuch offence forfeit his office, and ſuch officer ſhall alſo be incapable of ſerving his Majeſty, his heirs and ſucceſſors, and ſhall forfeit the ſum of one hundred pounds.

XXXII. And be it further enacted by the authority aforeſaid, That if any indigo made in the Britiſh colonies or plantations in America, and imported here after the twenty fourth day of June one thouſand ſeven hundred and eighty, ſhall after ſaid day be exported from this kingdom, that then and in every ſuch caſe the perſon or perſons ſo exporting the ſame ſhall before the entry thereof pay unto collector of the revenue at the port, where the ſame ſhall be exported, or to the chief officer of the cuſtoms there, the full ſum of four pence for every pound weight, which is allowed as a premium by this act, on all ſuch indigo as he intends to export, over and above any duty the ſame is by law ſubject to pay at exportation.

A. D. 1779-80. Chap. 11.

XXXIII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons, his or their agent or agents, aſſignee or aſſignees, ſhall be found fraudulently to export ſuch indigo without paying ſuch premium to the collector or chief officer of the cuſtoms as aforeſaid, ſuch perſon or perſons ſhall forfeit and loſe all ſuch indigo, and double the value thereof.

XXXIV. Provided always, That if any doubt or diſpute ſhall ariſe, whether any of the ſaid indigo or any part thereof, ſo to be exported, is of the growth, product, or manufacture of the Britiſh plantations in America, or of foreign growth, product or manufacture, the *onus probandi* ſhall lie on the owner or claimer thereof, and not on the informer or proſecutor; any law, cuſtom, or uſage, to the contrary notwithſtanding.

XXXV. And be it further enacted by the authority aforeſaid, That all goods and commodities of the growth, product or manufacture of any part of Europe, except Great Britain, and all goods and commodities of the growth, product, or manufacture of the Eaſt Indies, or other places beyond the Cape of Good Hope, or any other country whatſoever, which have been or ſhall be legally imported into this kingdom, and ſhall be exported thence to any Britiſh plantation in America, or the Weſt Indies, or any Britiſh ſettlement on the coaſt of Africa, betwen the twenty fourth day of June one thouſand ſeven hundred and eighty and the twenty fourth day of December one thouſand ſeven hundred and eighty one inclusive, ſhall drawback ſo much of the duties paid on their importation, as ſhall leave the remainder equal to the amount of duties retained in Great Britain on goods of like quality and quantity exported thence to any of the ſaid places; and if the duties, paid on the import of any ſuch goods or merchandize into this kingdom, ſhall be exactly equal to the duties ſo retained in Great Britain, then and in every ſuch caſe ſuch goods ſhall not receive any drawback on their export as aforeſaid; and if the duties paid on the import of any ſuch goods ſhall not equal the duties ſo retained in Great Britain, then and in every ſuch caſe ſuch goods ſhall not only not receive any drawback on their export as aforeſaid, but ſhall alſo pay ſuch duty on being ſo exported, as together with the duty paid on their import ſhall equal the duty ſo retained in Great Britain.

XXXVI. Provided always, That in the calculating ſaid duties and drawbacks due attention ſhall be given and allowance made for any duty or impoſition, or any part of the ſame, which ſhall be retained in Great Britain, or not drawn back, or not compenſated for by bounty in Great Britain upon exportation thence to this kingdom.

XXXVII. And be it further enacted by the authority aforeſaid, That the commiſſioners of his Majeſty's revenue ſhall form or cauſe to be formed one or more table or tables, ſchedule or ſchedules, with all convenient ſpeed of the ſeveral drawbacks ſo to be allowed, and duties ſo to be paid, on the export of the ſaid goods and commodities of the growth, product, or manufacture of any part of Europe, except Great Britain, or of the Eaſt Indies, or other places beyond the Cape of Good Hope, or any other country whatſoever, to any of the Britiſh colonies in America or the Weſt Indies, or any Britiſh ſettlement on the coaſt of Africa; and that ſo ſoon as the ſaid tables or ſchedules, or any of them, ſhall be formed, they ſhall be ſigned by four of the ſaid commiſſioners at leaſt; and that from and after the day, whereon ſuch ſignature ſhall be made, until the twenty fifth day of December one thouſand ſeven hundred and eighty one the ſeveral drawbacks ſhall be allowed, and duties paid as reſpectively mentioned therein, upon the export as aforeſaid of the ſeveral goods therein mentioned as fully and effectually to all intents and purpoſes, as if the ſame were ſpecifically enacted and enumerated in this preſent act, any law, ſtatute, or uſage to the contrary notwithſtanding; and ſubject to the like remedies, regulations, and reſtrictions as any duties impoſed, or drawback allowed by this preſent act, are made ſubject unto; and that a duplicate of every ſuch table or ſchedule, ſigned likewiſe in manner aforeſaid, ſhall be at the ſame time depoſited with the clerk of the houſe of commons, to be by him laid before the ſaid houſe the next ſeſſion of Parliament.

XXXVIII. Provided always, That it ſhall and may be lawful for the ſaid commiſſioners in every caſe, where the duties retained in this kingdom cannot be equalized with the duties retained in Great Britain upon ſuch export as aforeſaid of any particular article, unleſs the whole or part of the duties paid on import thereof be drawn back, and a duty be impoſed on the export thereof, to ſpecify in the table or tables, ſchedule or ſchedules, containing ſuch article, what amount of duty ſhall be drawn back, and what amount of duty ſhall be impoſed thereon; in every which caſe the drawbacks, ſo to be allowed, ſhall be admitted and credited to the exporter in the payment of the duty ſo impoſed.

XXXIX. Provided alſo, That nothing ſhall be contained in any ſuch table or ſchedule to impoſe any condition or reſtriction upon or to affect either with duty or drawback by virtue of this act any goods, wares, or merchandizes, which might

A. D. 1779-80. Chap. 11.

be legally exported from this kingdom to any of the ſaid places prior to this preſent ſeſſion of Parliament; nor ſhall any thing contained in any ſuch table or ſchedule extend or be conſtrued to extend thereto.

XL. And be it further enacted by the authority aforeſaid, That all commodities whatſoever, which ſhall be imported into this kingdom from Scotland, ſhall be chargeable with and pay the ſame duties, and no more, as commodities of a like nature imported from England are chargeable with and liable to pay.

XLI. And be it enacted by the authority aforeſaid, That from and after the twenty fourth day of June one thouſand ſeven hundred and eighty all goods, imported from and exported to any Britiſh ſettlement on the coaſt of Africa, ſhall pay like duties, and receive like drawbacks and allowances, and be ſubject to the ſame regulations, and intitled to the ſame benefits, as goods of the ſame nature imported from or exported to any Britiſh colonies in America ſhall be chargeable with, liable, or intitled to, by virtue of this act, except where it is otherwiſe ſpecially provided therein, or ſhall be otherwiſe declared or mentioned in the tables or ſchedules to be formed as aforeſaid.

XLII. And be it further enacted by the authority aforeſaid, That the proper officer or officers do keep a ſeparate and diſtinct account of the ſeveral articles, which ſhall be exported or imported, whereon the hereditary duties are charged, altered, removed, or drawn back, by this or any other act or acts made this ſeſſion of Parliament; and that he or they do regularly enter, what thoſe ſeveral hereditary duties would amount to on ſuch articles ſo imported or exported, if the ſame were to have continued payable thereon, and that ſo much of the money ariſing from the ſeveral aids and duties impoſed by this preſent act, or by any other act or acts paſſed this ſeſſion of Parliament, upon the import of goods from the Britiſh plantations in America or the Weſt Indies, as the ſaid hereditary duties would have ſo amounted to, ſhall be regularly and duly placed to the account of his Majeſty's hereditary revenue.

XLIII. And be it further enacted by the authority aforeſaid, That a duty be paid for and upon all painted and playing cards, which ſhall be imported into this kingdom between the twenty fourth day of June one thouſand ſeven hundred and eighty

eighty and the twenty fifth day of December one thouſand ſeven hundred and eighty one incluſive, after the rate of one ſhilling for each pack ſo imported.

XLIV. And be it further enacted by the authority aforeſaid, That all and every the fines, penalties, and forfeitures, inflicted by this act (other than and except ſuch as by this act are otherwiſe provided for) ſhall and may be ſued for, recovered, levied, and applied in ſuch manner and form, and by ſuch ways and means, and with ſuch powers and authorities, as are preſcribed, directed, and appointed in and by an act of Parliament made in the fourteenth and fifteenth years of the reign of King Charles the ſecond, entitled, *An act for ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*; as fully and effectually to all intents, conſtructions, and purpoſes, as if the ſame were particularly mentioned and expreſſed, and re-enacted in the body of this preſent act, with the like remedy of appeal to and for the party or parties who ſhall think him, her, or themſelves aggrieved or injured, as in and by the ſaid act of exciſe is provided.

XLV. And be it further enacted by the authority aforeſaid, That neither the ſix pence *per* pound, nor any other fee ſhall be payable to, or be deducted or received by, the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of the iſſuing or payment of any ſum or ſums of money, ariſing by or which ſhall be received for or on account of the aids hereby granted to your Majeſty, or of any payment to be made in purſuance of this act.

SCHEDULE No. 1.

A Schedule of the Rates of the ſeveral Articles following, and the Additional Duties to be paid on Importation of the ſame, for every One Hundred Pounds Value thereof, according to ſaid Rates, as the ſame are ſubject, or not ſubject, to Aliens Duty, with the ſeveral Additional Drawbacks to be allowed on their Exportation.

For every £100. of the Rate.

	If by Law not ſubject to Aliens Duty.										If by Law ſubject to Aliens Duty.							
	Rate.			Additional Duty on Importation.				Additional Drawback on Exportation.				Additional Duty on Importation.				Additional Drawback on Exportation.			
FURS.	l.	s.	d.	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20
ARMIN, the Timber containing 40 Skins	2	0	0	14	5	0	18¼	14	1	1	8¼	10	18	6	3¼	11	14	11	13¾
BADGER SKINS, the Piece	0	2	0	13	1	6	18¼	12	17	7	8¼	9	15	0	3¼	10	11	5	13¾
BEAR SKINS, Black, the Piece	1	0	0	13	1	6	18¼	12	17	7	8¼	9	15	0	3¼	10	11	5	13¾
BEAR SKINS, Red, the Piece	1	0	0	16	4	2	18¼	16	0	3	8¼	12	17	8	3¼	13	14	1	13¾
BEAR SKINS, White, the Piece	2	0	0	16	19	10	18¼	16	15	11	8¼	13	13	4	3¼	14	9	9	13¾
BEAVER WOMBS, the Piece	0	1	8	3	13	6	18¼	3	9	7	8¼	0	7	0	3¼	1	3	5	13¾

				l.	s.	d.	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20
BUDGE	Black	Tawed, the Dozen Skins	—	1	6	8	13	1	6	$18\frac{3}{4}$	12	17	7	$8\frac{3}{4}$	9	15	0	$3\frac{3}{4}$	10	11	5	$13\frac{3}{4}$
		Untawed, the hundred Qt. 5 Score	—	3	10	0	15	1	10	$7\frac{9}{21}$	14	17	10	$17\frac{9}{21}$	11	15	3	$12\frac{9}{21}$	12	11	9	$2\frac{9}{21}$
	White	Tawed, the hundred Qt. 5 Score Skins	—	2	0	0	13	1	6	$18\frac{3}{4}$	12	17	7	$8\frac{3}{4}$	9	15	0	$3\frac{3}{4}$	10	11	5	$13\frac{3}{4}$
	Poults, the Fur containing 4 Pains		—	1	0	0	13	1	6	$18\frac{3}{4}$	12	17	7	$8\frac{3}{4}$	9	15	0	$3\frac{3}{4}$	10	11	5	$13\frac{3}{4}$
CALABAR	Seasoned, the Pain		—	1	0	0																
	Shubs, vide in S		—	0	0	0																
	Stag, the Piece		—	0	12	6	13	1	6	$18\frac{3}{4}$	12	17	7	$8\frac{3}{4}$	9	15	0	$3\frac{3}{4}$	10	11	5	$13\frac{3}{4}$
	Tawed, the Timber Qt. 40 Skins		—	0	8	0																
	Untawed, the Timber Qt. 40 Skins		—	0	6	8																
CATS POULTS	The hundred Qt. 5 Score		—	1	0	0																
	The Mantle		—	0	6	3	13	1	6	$18\frac{3}{4}$	12	17	7	$8\frac{3}{4}$	9	15	0	$3\frac{3}{4}$	10	11	5	$13\frac{3}{4}$
DOCKERERS, the Timber Qt. 40 Skins			—	0	13	4	13	1	6	$18\frac{3}{4}$	12	17	7	$8\frac{3}{4}$	9	15	0	$3\frac{3}{4}$	10	11	5	$13\frac{3}{4}$
FITCHES,	The Timber Qt. 40 Skins		—	0	13	4	10	14	6	$18\frac{3}{4}$	10	10	7	$8\frac{3}{4}$	7	8	0	$3\frac{3}{4}$	8	4	5	$13\frac{3}{4}$
	The Pain or Mantle		—	0	12	6																
FOXES,	The Black Fox Skins		—	0	10	0	13	1	6	$18\frac{3}{4}$	12	17	7	$8\frac{3}{4}$	9	15	0	$3\frac{3}{4}$	10	11	5	$13\frac{3}{4}$

FOXES, A. D. 1779-80. Chap. 71.

		l.	s.	d.	l.	s.	d. 20	l.	s.	d. 20	l.	s.	d. 20	l.	s.	d. 20
FOXES,	The Ordinary Skin	0	1	4	10	14	6 18¾	10	10	7 8¾	7	8	0 3¾	8	4	5 13¾
	The Pain or Mantle	0	15	0	13	1	6 18¾	12	17	7 8¾	9	15	0 3¾	10	11	5 13¾
	Wombs, Poults, or Pieces, the Pain	0	10	0												
	Dreſſed, vide in Skins															
FOYNES,	Backs, the Dozen	0	13	4	8	19	3 18¾	8	15	4 8¾	5	12	9 3¾	6	9	2 13¾
	Poults, the hundred Qt. 5 Score	1	6	8												
	Raw, the Piece	0	1	0	13	1	6 18¾	12	17	7 8¾	9	15	0 3¾	10	11	5 13¾
	Tails, the Pain or Mantle	0	12	6												
	With Tails, the Piece	0	3	4	12	16	10 10¾	12	12	11 0¾	9	10	3 15¾	10	6	9 5¾
	Without Tails, the Piece	0	4	0	12	5	9 18¾	12	5	9 18¾	8	11	4 3¾	9	15	8 13¾
	Wombs Seaſoned, the Pain or Mantle	1	6	8												
	Wombs Stag, the Pain or Mantle	0	15	0												
					13	1	6 18¾	12	17	7 8¾	9	15	0 3¾	10	11	5 13¾
LETWIS,	Tawed, the Timber Qt. 40 Skins	0	12	6												
	Untawed, the Timber Qt. 40 Skins	0	8	4												

JENNETTS

			l.	s.	d.	l.	s.	d. 20	l.	s.	d. 20	l.	s.	d. 20	l.	s.	d. 20
JENNETTS,	Black	Raw, the Skin		0	12	6											
		Seasoned, the Skin		0	16	8											
	Grey	Raw, the Skin		0	3	0											
		Seasoned, the Skin		0	4	0											
LEOPARDS,	Skins, the Piece			1	5	0	13	1	6	18¾	12	17	7	8¾	9	15	0	3¾	10	11	5	13¾
	Wombs, the Pain			5	0	0																
LETWIS,	Tawed, the Timber Qt. 40 Skins			0	8	4																
	Untawed, the Timber Qt. 40 Skins			0	6	0																
MARTRONS,																						

A. D. 1779-80. Chap. 11.

		l.	s.	d.	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20
MARTRONS or MARTINS,	The Timber Qt. 40 Skins	10	0	0																
	The Pain or Mantle	9	0	0																
	Gills, the Timber Qt. 40 Skins	0	12	0																
	Poults, the Pain or Mantle	0	10	0																
	Tails, the hundred Qt. 5 Score	2	0	0																
MINIVER, the Mantle		0	13	4																
MINKS,	Tawed, the Timber Qt. 40 Skins	4	0	0																
	Untawed, the Timber Qt. 40 Skins	3	0	0																
MOLE SKINS, The Dozen		0	0	6	13	1	6	18¾	12	17	7	8¾	9	15	9	3¾	10	11	5	13¾
OTTER SKINS, The Piece		0	5	0																
OUNCE SKINS, The Piece		0	12	6																
SABLES,	Of all Sorts, the Timber Qt. 40 Skins	30	0	0																
	Tails or Tips of Sable, *vide* Skins																			
WEAZLE SKINS, The Dozen		0	0	4																
WOLF SKINS,	Tawed, the Piece	1	10	0																
	Untawed, the Piece	1	3	0																
WOLVERINGS, The Piece		0	12	6	12	2	9	6¾	11	18	9	16¾	8	16	2	11¾	9	12	8	1¾

SCHEDULE

SCHEDULE No. 2.

A Schedule of the Rates of the ſeveral Articles following, and the Additional Duties to be paid on Importation of the ſame, from the *Britiſh* Plantations in *America*, or the *Weſt Indies*, for every One Hundred Pounds Value thereof, according to ſaid Rates, as the ſame are ſubject, or not ſubject, to Aliens Duty, with the ſeveral Additional Drawbacks to be allowed on their Exportation.

For every £ 100. of the Rate.

	If by Law not ſubject to Aliens Duty.										If by Law ſubject to Aliens Duty.							
	Rate.			Additional Duty on Importation.				Additional Drawback on Exportation.				Additional Duty on Importation.				Additional Drawback on Exportation.			
SKINS.	l.	s.	d.	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20
BUCK or DEER SKINS, In the Hair, the Skin - -	0	2	6	17	15	6	18¼	17	11	7	8¾	14	9	0	3¼	15	5	5	13¼
BUCK or DEER SKINS, Dreſſed, The Skin dreſſed -	0	5	0	17	15	6	18¼	17	11	7	8¼	14	9	0	3¼	15	5	5	13¼
BUCK or DEER SKINS, Dreſſed, And beſides for every Pound Weight	0	0	0	0	0	10	4¼	0	0	0	9¼	0	0	10	4¼	0	0	0	9¼
CALF SKINS, in the Hair - - -	0	0	10	8	6	6	18¾	10	10	1	8¼	0	5	0	3¼	5	16	5	13¾

		l.	s.	d.	l.	s.	d.	20.	l.	s.	d.	20.	l.	s.	d.	20.	l.	s.	d	20.
CALF SKINS,	Dreſſed in Allum and Salt or Meal, or otherwiſe tawed, for every £100 of their Value on Oath	0	0	0	17	15	6	18¾	17	11	7	8¾	14	9	0	3¾	15	5	5	13¼
	And beſides for every Pound weight ——	0	0	0	0	0	3	8¼	0	0	2	6 7/12	0	0	3	8¾	0	0	2	6 7/12
	Tanned, The Dozen —— ——	0	10	0	15	8	6	18¾	15	4	7	8¾	12	2	0	3¾	12	18	5	13⅜
	And, beſides for every Pound Weight: ——	0	0	0	0	0	3	19⅝	0	0	2	14 25/72	0	0	3	19⅝	0	0	2	14 25/72
	Slink Calves Skins, however dreſſed, for every hundred of their Value on Oath	0	0	0	17	15	6	18¾	17	11	7	8¾	14	9	0	3¾	15	5	5	13¾
	And beſides for every Pound Weight with the Hair on	0	0	0	0	0	2	5½	0	0	1	11 1/18	0	0	2	5½	0	0	1	11 1/18
	For every Pound Weight without the Hair -	0	0	0	0	0	1	2¾	0	0	0	15 12/36	0	0	1	2¾	0	0	0	15 12/36
DOG SKINS, however dreſſed, for every one hundred of their value upon oath		0	0	0	17	15	6	18¾	17	11	7	8¾	14	9	0	3¾	15	5	5	13¾
And beſides for every Pound Weight		0	0	0	0	0	1	2¾	0	0	0	1 1/12	0	0	1	2¾	0	0	0	1 1/12
FOX SKINS dreſſed,	The Dozen —— —— ——	0	16	0	15	2	8	8¾	14	18	18	8¾	11	16	1	13¾	12	12	7	3¾
	And beſides for every £100 of their real Value upon Oath	0	0	0	34	2	6	0	1	12	6	0	34	2	6	0	1	12	6	0

GOLD SKINS,

		l.	s.	d.	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20
GOLD SKINS,	The Skin —— ——	0	0	6	17	15	6	18¾	17	11	7	8¾	14	9	0	3¾	15	5	5	13¾
	And beſides, if dreſſed, for every £100. of their real Value upon Oath	0	0	0	34	2	6	0	1	12	6	0	34	2	6	0	1	12	6	0.
HUSSE SKINS for Fletchers, the Skin ——		0	0	6	16	3	10	18¾	16	15	9	8¾	11	5	8	3¾	13	13	9	13¾
KID SKINS,	In the Hair, the Hundred containing 5 Score	1	0	0	88	17	5	8¾	20	19	3	18¾	85	10	10	13¾	18	13	2	3¾
	Dreſſed, the Hundred, containing 5 Score	2	0	0	53	6	6	3¾	19	5	5	13¾	49	19	11	8¾	16	19	3	18¾
	Not perfectly dreſſed, for every £100. of their real Value upon Oath	0	0	0	17	15	6	18¾	17	11	7	8¾	14	9	0	3¾	15	5	5	13¾
	For every Dozen —— ——	0	0	0	0	1	8	9¼	0	0	0	19¼	0	1	8	9¼	0	0	0	19¼
KIP SKINS however tawed,	For every £100. of their Value upon Oath	0	0	0	17	15	6	18¾	17	11	7	8¾	14	9	0	3¾	15	5	5	13¾
	For every Pound Weight ——	0	0	0	0	0	3	8¼	0	0	0	3¼	0	0	3	8¼	0	0	0	3¼

GOAT SKINS,

A. D. 1779-80. Chap. 11.

X 2

GOAT

		l.	s.	d.	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20
GOAT SKINS,	Cordovants, the Dozen, not being raw or undreſſed	5	0	0	26	17	6	18¼	18	0	3	8¾	23	11	0	3¾	15	14	1	13¾
	Tanned, the Dozen ——	2	0	0	29	3	0	18¼	18	2	5	8¾	25	16	6	3¾	15	16	3	13¾
	And beſides for every Pound Weight	0	0	0	0	0	6	16¼	0	0	0	6¼	0	0	6	16¼	0	0	0	6¼
	Dreſſed, except thoſe uſually called Cordovants, for every £100. of their Value upon Oath	0	0	2	17	15	6	18¾	17	11	7	8¾	14	9	0	3¾	15	5	5	13¾
	For every Dozen —— ——	0	0	0	0	4	6	12	0	0	2	12	0	4	6	12	0	0	2	12
	For every Pound Weight ——	0	0	0	0	0	6	16¼	0	0	0	6¼	0	0	6	16¼	0	0	0	6¼
SEAL SKINS,	The Skin (except where it is provided by this Act, that they ſhall be imported duty free)	0	1	8	19	13	6	18¾	18	10	7	8¾	18	5	0	3¾	17	3	5	13¾
	And beſides, if dreſſed, for every £100. of their real Value upon Oath	0	0	0	34	2	6	0	1	12	6	0	34	2	6	0	1	12	6	0

			l.	s.	d.	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20
Vol. XL.	SHAMWAY SKINS.	The Dozen —— ——	1	6	8	17	3	9	18¾	16	19	10	8¾	13	17	3	3¾	14	13	8	13¾
		And besides if not particularly charged, for every £ 100. of their real Value upon Oath —— ——	0	0	0	34	2	6	0	1	12	6	0	34	2	6	0	1	12	6	0
5 Y	SHEEP SKINS,	Tanned, For every £ 100. of their Value upon Oath	0	0	0	17	15	6	18¾	17	11	7	8¾	14	9	0	3¾	15	5	5	13¾
		Tanned, For every Dozen ——	0	0	0	0	1	8	9½	0	0	7	9½	0	1	8	9½	0	0	7	9½
		In the Wool, the Skin ——	0	0	3	8	7	6	18¾	8	3	7	8¾	5	1	0	3¾	5	17	5	13¾
	SPRUCE SKINS,	Tawed, the Dozen ——	2	0	0	17	15	6	18¾	17	11	7	8¾	14	9	0	3¾	15	5	5	13¾
		And besides, for every £ 100. of their real Value upon Oath	0	0	0	34	2	6	0	1	12	6	0	34	2	6	0	1	12	6	0

SCHEDULE

SCHEDULE No. 3.

A SCHEDULE of the Rates of the ſeveral Articles following, and the Additional Duties to be paid on Importation of the ſame, from the *Britiſh* Plantations in *America*, or the *Weſt Indies*, for every One Hundred Pounds Value thereof, according to ſaid Rates, as the ſame are ſubject, or not ſubject, to Aliens Duty, with the ſeveral Additional Drawbacks to be allowed on their Exportation.

HIDES.

		For every £ 100. of the Rate.															
		If by Law not ſubject to Aliens Duty.									If by Law ſubject to Aliens Duty.						
		Rate.			Additional Duty on Importation.				Additional Drawback on Exportation.				Additional Duty on Importation.				Additional Drawback on Exportation.			
		l.	s.	d.	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d	20
BUFF HIDES viz. BUFFALO,	In the Hair	0	10	0	19	12	6	0	21	16	0	10	11	10	11	5	17	2	4	15
	And beſides for every Pound Weight	0	0	0	0	0	7	19$\frac{1}{2}$	0	0	5	8$\frac{25}{28}$	0	0	7	19$\frac{1}{2}$	0	0	5	8$\frac{25}{28}$

		l.	s.	d.	l.	s.	d. 20	l.	s.	d. 20	l.	s.	d. 20	l.	s.	d. 20
COW or HORSE HIDES,	In the Hair, the Piece	0	2	6	0	0	0 0	1	2	1 $8\frac{4}{4}$	0	0	0 0	0	0	0 0
	Tanned, The Piece	0	10	0	17	1	6 $18\frac{3}{4}$	17	11	7 $8\frac{3}{4}$	14	9	0 $3\frac{3}{4}$	15	5	5 $13\frac{3}{4}$
	And besides for every Pound Weight	0	0	0	0	0	3 $19\frac{5}{8}$	0	0	2 $14\frac{3}{172}$	0	0	3 $19\frac{5}{8}$	0	0	2 $14\frac{3}{172}$
INDIA HIDES,	The Hide	0	4	2	9	16	7 $17\frac{12}{20}$	12	0	2 $7\frac{12}{20}$	1	15	1 $2\frac{12}{20}$	7	6	6 $12\frac{19}{20}$
	And besides if Dressed in Oil, the Pound	0	0	0	0	0	7 $19\frac{1}{2}$	0	0	5 $8\frac{28}{36}$	0	0	7 $19\frac{1}{2}$	0	0	5 $8\frac{28}{36}$
	Tanned, the Pound	0	0	0	0	0	3 $19\frac{5}{8}$	0	0	2 $14\frac{28}{172}$	0	0	3 $19\frac{5}{8}$	0	0	2 $14\frac{28}{172}$
	Tawed, the Hide	0	0	0	0	3	11 $15\frac{1}{2}$	0	2	8 $12\frac{1}{8}$	0	3	11 $15\frac{1}{2}$	0	2	8 $12\frac{1}{8}$
	Of Horses, Mares, or Geldings tawed, for every £100. of their Value upon Oath	0	0	0	17	15	6 $18\frac{3}{4}$	17	11	7 $8\frac{3}{4}$	14	9	0 $3\frac{3}{4}$	15	5	5 $13\frac{3}{4}$
	And besides for every Hide	0	0	0	0	2	3 6	0	1	6 $12\frac{2}{3}$	0	2	3 6	0	1	6 $12\frac{2}{3}$
SEALSKINS.	LOSH HIDES, The Hide	0	5	0	19	13	6 0	19	9	6 10	16	6	11 5	17	3	4 15
	And besides for every Pound Weight	0	0	0	0	0	7 $19\frac{1}{2}$	0	0	5 $8\frac{28}{36}$	0	0	7 $19\frac{1}{2}$	0	0	5 $8\frac{28}{36}$
	All other Hides and Pieces of Hides not before particularly charged, For every One Hundred Pounds of their Value upon Oath	0	0	0	17	15	6 $18\frac{3}{4}$	17	11	7 $8\frac{3}{4}$	14	9	0 $3\frac{3}{4}$	15	5	5 $13\frac{3}{4}$
	And besides if Dressed in Oil, the Pound	0	0	0	0	0	7 $19\frac{1}{2}$	0	0	5 $8\frac{28}{36}$	0	0	7 $19\frac{1}{2}$	0	0	5 $8\frac{28}{36}$
	Tanned, the Pound	0	0	0	0	0	3 $19\frac{5}{8}$	0	0	2 $14\frac{28}{172}$	0	0	3 $19\frac{5}{8}$	0	0	2 $14\frac{28}{172}$
	Tawed, the Hide	0	0	0	0	3	11 $15\frac{1}{2}$	0	2	8 $12\frac{1}{8}$	0	3	11 $15\frac{1}{2}$	0	2	8 $12\frac{1}{8}$

SCHEDULE

A. D. 1779-80. Chap. 11.

SCHEDULE No. 4.

A SCHEDULE of the Rates of the ſeveral Articles following, of the Growth or Produce of the *Britiſh* Plantations in *America*, or the *Weſt Indies*, and the total Neat Duties to be paid on the Importation of the ſame, for every One Hundred Pounds Value thereof, according to ſaid Rates, as the ſame are, or are not, ſubject to Aliens Duty, with the ſeveral Drawbacks to be allowed on their Exportation; the ſaid Duties to be in Lieu and full Satisfaction of all Duties now payable by Law for the ſame, and the ſaid Drawbacks to be in the Place and Stead of all Drawbacks now allowed by Law thereon.

For every £100. of the Rate

			If by Law not ſubject to Aliens Duty.			If by Law ſubject to Aliens Duty.	
SKINS.	Rate.	Duty payable at Importation.	Drawback at Exportation.	Duty payable at Importation.	Drawback at Exportation.
	l. s. d.	l. s. d. 20	l. s. d. 20	l. s. d. 20	l. s. d. 20
BUCK or DEER, Indian half dreſt, the Pound Weight	0 1 3	25 4 6 18¾	24 13 1 8¾	28 13 0 3¾	24 14 5 13¾
CONEY SKINS, the Dozen	0 1 0	27 4 6 18¾	24 13 1 8¾	28 13 0 3¾	24 14 5 13¾
DOG SKINS undreſſed, the Piece	0 0 8	27 4 6 18¾	24 13 1 8¾	28 13 0 3¾	24 14 5 13¾

DOG FISH

		l.	s.	d.	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20
DOG FISH SKINS, for Fletchers, the Dozen		0	0	6	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
ELK SKINS,	Dreſt or undreſt, the Skin	0	6	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
	And beſides if dreſt in Oil, for every Pound Weight	0	0	0	0	0	7	19¼	0	0	5	8²⁵⁄₃₆	0	0	7	19¼	0	0	5	8²⁵⁄₃₆
FISHERS SKINS, the Piece		0	5	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
HARE SKINS, the Dozen		0	0	4	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
LAMB SKINS,	Dreſſed in Allum, the Hundred containing Five Score	1	0	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
	And beſides for every Dozen	0	0	0	0	1	1	13	0	0	4	19⅔	0	1	1	13	0	0	4	19⅓
	Dreſſed in Oil, the Hundred containing Five Score	4	0	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
	And beſides for every Dozen	0	0	0	0	2	3	6	0	0	9	19⅓	0	2	3	6	0	0	9	19⅓
	Undreſſed in the Wool, the Hundred containing Six Score	0	10	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
	Slink Dreſſed, the Hundred containing Five Score	0	10	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
	And beſides for every £.100 of their real Value upon Oath	0	0	0	34	2	6	0	12	9	2	0	34	2	6	0	12	9	2	0
	Slink undreſſed in the Wool, the Hundred containing Six Score	0	5	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
	Tanned, for every £.100 of their real Value upon Oath	0	0	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
	Tanned, for every Dozen	0	0	0	0	1	8	9½	0	0	7	9½	0	1	8	9½	0	0	7	9½

	l.	s.	d.	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20
LION SKINS, the Piece	0	10	0																
MOOSE SKINS, the Piece	0	10	0																
MUSQUASH, the Skin	0	0	6																
PANTHER, the Piece	1	0	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
PELTS of GOATS, Dreſſed, the Dozen	0	10	0																
PELTS of GOATS, Undreſſed, the Dozen	0	5	0																
PELTS of all Sorts, except Goat Pelts, the Hundred containing Five Score	1	10	0																
RACOONS, the Skin	0	0	6	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
GOAT SKINS, In the Hair the Dozen, not being raw or undreſſed except thoſe uſually called Cordovants	1	0	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
SHAGREEN SKINS, The Skin	0	1	8	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
SHAGREEN SKINS, And beſides for every £.100 of their real Value upon oath	0	0	0	34	2	6	0	1	12	6	0	34	2	6	0	1	12	6	0

SHEEP SKINS,

	l.	s.	d.	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20	l.	s.	d.	20
SHEEP SKINS, Dreſſed and not tanned, the Dozen	0	5	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
SHEEP SKINS, And beſides if in Oil, the Dozen	0	0	0	0	3	4	19	0	1	2	19	0	3	4	19	0	1	2	19
SHEEP SKINS, Or otherwiſe dreſſed and not Tanned, the Dozen	0	0	0	0	1	1	13	0	0	4	19¾	0	1	1	13	0	0	4	19¾
SWAN SKINS, the Piece	0	3	4																
TAILS or TIPS of SABLE, the Piece	0	2	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
TYGER SKINS, the Piece	0	10	0																
VIZIR SKINS, the Piece,	0	5	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
WOODSHOCKS, the Skin	0	5	0																
FURS, Budge called Navern, the hundred Legs containing 5 Score	0	8	4	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
FURS, Ditto Runney the hundred Legs containing 5 Score	0	6	8	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
FURS, Cats, Skins the Hundred containing 5 Score	2	0	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
FURS, Cats, Wombs, the Pain or Mantle	0	6	3	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾
FURS, Leuzerns Skins, the Piece	2	10	0	27	4	6	18¾	24	13	1	8¾	28	13	0	3¾	24	14	5	13¾

SCHEDULE

A. D. 1779-80. Chap. 11.

SCHEDULE, No. 5.

A SCHEDULE of the Rates of the ſeveral Articles following, according to which a Duty is to be paid on their Export if they ſhall have been imported from the *Britiſh* Colonies in *America*, the *Weſt-Indies*, or the *Britiſh* Settlements on the Coaſt of *Africa*.

		Rate.
RICE	per Ct.	£. 1 6 8
INDIGO	per lb.	0 3 4
FUTSICK WOOD	per Cwt.	0 5 0
BRASIL WOOD	per Cwt.	1 15 0
BRAZILETTO WOOD	per Cwt.	1 1 8
NICORAGO WOOD	per Cwt.	0 8 0
GUINEA or RED WOOD	per Cwt.	1 10 0
SAPAN WOOD	per Cwt.	0 10 0
LOGWOOD, unleſs in Britiſh or Iriſh Shipping, in which Caſe ſuch Logwood may be exported Duty free	per Cwt.	2 0 0

CHAP.

A. D. 1779-80.

CHAP. XII.

An act for continuing and amending ſeveral laws relating to his Majeſty's revenue; and for the more effectually preventing of frauds therein; and for ſuch other purpoſes as are therein mentioned.

By 14 & 15 C. 2. c. 8. ſ. 47. goods ſeized run, if not claimed in 21 days by true owner, or one deputed under his hand, forfeited.

WHEREAS by an act made in the fourteenth and fifteenth years of the reign of his late Majeſty king Charles the ſecond, intitled, *An act for ſettling the exciſe and new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, it is amongſt other things enacted, that in caſe any goods or merchandizes, ſeized as is therein mentioned for having been run or intended to be run, ſhall not be claimed by the true and lawful owner or proprietor thereof, or by one deputed under his or their hands, within one and twenty days after ſeizure, the ſaid goods ſhall be abſolutely forfeited and confiſcated: and whereas many frauds have been committed by means of claims made by or on behalf of perſons, who were not the real owners and proprietors of goods, merchandizes, or other things, which have been ſeized, or by perſons who were not duly deputed to make ſuch claims, in evaſion of ſaid in part recited act: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty as often as any claim or claims for any goods, merchandizes, or other things, which ſhall be ſeized for any breach of or offence againſt any of the laws of exciſe made in this kingdom, ſhall be tendered by the owner or owners, proprietor or proprietors, thereof in perſon, the ſaid owner or owners, proprietor or proprietors, ſhall at the time of tendering ſuch claim make oath before the officer or officers appointed to receive and regiſter ſuch claim, (which oath the ſaid officer or officers is and are hereby impowered and required to adminiſter) that he, ſhe, or they ſo tendering ſaid claim is or are the true and lawful owner or owners, proprietor or proprietors, of the goods, merchandizes, or other things, which ſhall have been ſo ſeized as aforeſaid: and that in caſe the ſaid goods, merchandizes, or other things ſo ſeized, ſhall be claimed by any perſon or perſons as deputed to claim the goods ſo ſeized, that then and in ſuch caſe ſuch perſon or perſons ſo tendering a claim ſhall make oath before the officer or officers appointed to receive and regiſter ſuch claim as aforeſaid, (which oath the ſaid officer

frauds by claim of perſons not real owners,

on tendering claim for goods ſeized for any breach of exciſe laws of oath made being true and lawful owners,

and by perſons deputed of being well acquainted with hand writing ſubſcribed to deputation, and belief of

A. D. 1779-80. Chap. 12.

or officers is and are hereby impowered and required to administer,) that he, ſhe, or they is or are well acquainted with the hand writing or hand writings of the perſon or perſons, whoſe name or names is or are ſubſcribed to ſuch deputation, and that according to his, her, or their belief the name or names ſubſcribed to the ſaid deputation, appointment, or power is or are the hand writing or hand writings of the perſon or perſons, whoſe name or names is or are thereunto ſubſcribed; and that the perſon or perſons, whoſe name or names is or are ſo ſubſcribed, is or are, as the perſon ſo making oath verily believes, the true and lawful owner or owners, proprietor or proprietors, of the ſaid goods, merchandizes, or other things then under ſeizure as aforeſaid; which ſaid ſeveral affidavits and deputations ſhall be lodged and depoſited with ſuch officer or officers as aforeſaid.

being the perſon's name, and of being true and lawful owner.

II. And be it further enacted by the authority aforeſaid, that in caſe of refuſal or omiſſion to make ſuch affidavit at the times and in manner aforeſaid then and in any of the ſaid caſes it ſhall and may be lawful to and for ſuch officer and officers as aforeſaid to refuſe to receive or regiſter any ſuch claim or claims, and the tender thereof ſhall be null and void, and it ſhall and may be lawful to and for the chief commiſſioners of his Majeſty's exciſe and the ſubcommiſſioners in their ſeveral and reſpective diſtricts to proceed to the condemnation of ſuch goods, merchandizes, or other things, in ſuch manner as by law may now be done for want of a claim.

On failure, the tender refuſed, void, and condemnation as for want of claim.

III. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall wilfully, falſely, and corruptly make or ſwear any affidavit or affidavits hereby directed to be made or taken touching or concerning ſuch claim as aforeſaid, or ſhall corruptly procure or ſuborn any perſon or perſons for the purpoſes aforeſaid, ſo as ſuch perſon or perſons ſhall ſwear or make any of the aforeſaid affidavits wilfully, corruptly, and falſely, every perſon being legally convicted of any of the ſaid offences by verdict, or upon his or their confeſſion, for every ſuch offence ſhall incur and ſuffer ſuch pains, penalties, forfeitures, and diſabilities reſpectively, as perſons convicted of committing or corruptly procuring or ſuborning any witneſs to commit wilful and corrupt perjury are reſpectively ſubject to by any law or ſtatute now in force in this kingdom.

False ſwearing, or ſuborning, puniſhed as by laws againſt wilful perjury or ſubornation.

IV. And be it further enacted by the authority aforeſaid, that if any foreign goods ſhall be ſeized for nonpayment of duties or other cauſe of forfeiture; and any diſpute ſhall ariſe, whether the duties have been paid for the ſame, or whether the ſame have been

On foreign goods ſeized, proof of duties paid, legal importation, &c. on claimer.

been lawfully imported, or legally compounded for or condemned, or concerning the place from whence ſuch goods were brought, then and in ſuch caſe the proof of the payment of the duties, or of the legal importation, or legal compoſition or ſale on condemnation, or the place from whence ſuch goods were brought, as the caſe may happen, ſhall lie on the owner or claimer of ſuch goods, and not on the officer who ſhall ſeize or ſtop ſuch goods.

Spirits in package under 50 gallons gauge, except of vitriol, or uſed in linen manufacture, or cordials, found on board in port or harbour, or 3 leagues of ſhore, or ſo diſcovered, though no attempt to run, unleſs diſtreſs (of which immediate notice and proof before neareſt chief officer) forfeited with the ſhip, guns, &c.

V. And be it further enacted by the authority aforeſaid, that from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty if any brandy, rum, or other ſpirits in caſks, bottles, jars, or other veſſels or packages whatſoever, under fifty gallons gauge, ſave and except ſpirit of vitriol, or other ſpirits uſed in the linen manufacture, and cordial waters, ſhall be found on board any ſhip, veſſel, or boat in any port or barbour in this kingdom, or hovering within three leagues of the ſhore of this kingdom, or ſhall be diſcovered ſo to have been, although bulk ſhall not appear to have been broken, or any of the ſaid goods or commodities before mentioned run or attempted to have been run out of ſuch ſhip, veſſel, or boat, ſave only and except in caſe of unavoidable neceſſity and diſtreſs, of which neceſſity and diſtreſs the maſter, purſer, or other perſon having or taking the charge or command of ſuch ſhip, veſſel, or boat ſhall immediately after the arrival of ſuch ſhip veſſel, or boat in any bay, harbour, river, or creek of or belonging to this kingdom, give notice and make proof before the collector or other chief officer of the revenue reſident at the neareſt port, where ſuch ſhip, veſſel, or boat ſhall arrive, ſuch ſhip, veſſel, or boat, with all her guns, tackle, furniture, ammunition, and apparel, ſhall be ſeized and forfeited together with all ſuch goods and commodities before mentioned, which ſhall be found in ſuch ſhip, veſſel, or boat.

Except 2 gallons each ſeaman.

VI. Provided nevertheleſs that it ſhall be lawful to have ſo much brandy, rum, or other ſpirits for the uſe of the ſeamen then belonging to and on board ſuch ſhip or veſſel, as ſhall not exceed in quantity more than two gallons of ſpirits for each and every ſeaman belonging to ſuch ſhip or veſſel.

3 *G.* 3. c. 24, ſ. 1.

oath therein by maſter of fiſhing veſſel to entitle to bounty,

VII. And whereas by an act of parliament paſſed in this kingdom in the third year of his Majeſty's reign, intitled, *An act for the encouragement of the fiſheries of this kingdom*, it is among other things enacted, that upon the return of any buſs or veſſel that ſhall be employed in the ſaid fiſheries, or whoſe owners ſhall be intitled to the bounties in the ſaid act mentioned, into any port of Ireland for her diſcharge, the maſter thereof ſhall make oath

A. D. 1779-80. Chap. 12.

as therein mentioned: and whereas notwithſtanding the ſaid oath ſeveral frauds have been committed by ſhipping and taking on board contraband and prohibited goods, and alſo by running and ſmuggling of goods during the time of ſuch buſs or veſſel's being out or employed on the ſaid fiſheries: for remedy whereof be it further enacted by the authority aforeſaid, that from and after the paſſing of this act in addition to the ſaid oath, before the ſeveral and reſpective bounties in the ſaid in part recited act mentioned ſhall be paid, the maſter of every ſuch buſs or veſſel reſpectively ſhall make oath to the following import before the collector or comptroller of the ſaid port, who are hereby impowered reſpectively to adminiſter the ſame, "that neither he, nor any of his crew to his knowledge or belief, had ſhipped or laden on board ſuch reſpective buſs or veſſel any contraband or prohibited goods or merchandizes of any ſort or kind whatſoever, or any goods or merchandizes whatſoever, with intent to run, or ſmuggle, or land, or import the ſame without the payment of the duties due and payable to his Majeſty thereon, nor had been concerned in any contraband or illicit trade whatſoever, nor had run or ſmuggled any goods or merchandizes whatſoever from the time the buſs or veſſel, in which he ſo embarked for the purpoſe aforeſaid, had ſailed, until the return thereof to ſuch port or place as aforeſaid."

frauds by ſhipping prohibited goods, running and ſmuggling, additional oath by the maſter before bounties paid, of not ſhipping prohibited goods, or any to run or ſmuggle, nor concerned in any illicit trade.

VIII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall wilfully, falſely, and corruptly ſwear or make oath touching or concerning any of the matters, hereby or by the ſaid in part recited act directed to be verified by oath, or ſhall corruptly procure or ſuborn any perſon or perſons to ſwear falſely in, touching, or concerning any of the matters aforeſaid, every perſon being legally convicted of ſuch offence or offences by verdict, or upon his or their confeſſion, ſhall incur all ſuch pains, penalties, forfeitures, and diſabilities, as perſons, who commit or corruptly procure or ſuborn any witneſs or witneſſes to commit wilful or corrupt perjury, are now ſubject to by any law or ſtatute now in force in this kingdom.

On falſe ſwearing, or ſuborning, penalties for perjury or ſubornation by any law in force.

IX. And whereas by an act made in the thirty third year of the reign of his late Majeſty king George the ſecond, intitled, *An act for the better regulating the collection of his Majeſty's revenue, and for preventing frauds therein, and for repealing an act made the laſt ſeſſions of parliament*, intitled, *An act for continuing and amending ſeveral laws heretofore made relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act and continued thereby*, hath been eluded by brewers and diſtillers,

33 *G.* 2. c. 10. eluded by brewers and diſtillers, by night, and preventing officers examining till late next day, having right to deliver out liquors between 3 and 9 from *March*

lers, who commit many fraudulent practices, particularly in the night time, and prevent the officers of the revenue from entering or examining their breweries or diſtilleries until a late hour on the ſubſequent day: and whereas brewers and diſtillers have now reſpectively a right by law to deliver out beer, ale, *aquavitæ*, ſpirits, and ſtrong waters to their cuſtomers between the hours of the day herein after mentioned, that is to ſay, from the twenty fifth day of March and twenty ninth day of September yearly between the hours of three of the clock in the morning and nine of the clock in the evening, and from the twenty ninth day of September to the twenty fifth day of March yearly between the hours of five of the clock in the morning and eight of the clock in the evening: therefore be it further enacted by the authority aforeſaid, that every common brewer and diſtiller ſhall from the twenty ninth day of September to the twenty fifth day of March in each and every year at any time or times between the hours of three o'clock in the morning and eight o'clock in the evening of each and every day, and from the twenty fifth day of March to the twenty ninth day of September in each and every year at any time or times between the hour of three o'clock in the morning and eight o'clock in the evening of each and every day, either attend in perſon and admit, or cauſe ſome perſon to attend and admit, the officer or officers of exciſe and his and their aſſiſtants into their breweries, diſtilleries, or ſtores, and permit him or them to view the ſame, and to gauge and take an account of the liquors contained therein, as often as ſuch officer or officers ſhall attend and require to be admitted within the times and in the manner herein before mentioned; and in caſe any officer or officers ſhall not get admittance, after having demanded the ſame, and declared his or their name and buſineſs, and after having waited for the ſpace of one half hour after ſuch demand made at the gate or door of any common brewer or diſtiller, through which ſuch officer hath been uſually admitted, ſuch common brewer or diſtiller ſo offending ſhall forfeit the ſum of ten pounds for every ſuch offence.

to *Sept.* and to *March*, between 5 and 8,

common brewer and diſtiller ſhall between 3 in morning and 8 in evening attend, or cauſe ſome perſon, and admit exciſe officers and aſſiſtants to view ſtores, gauge and take account of liquors as often as required,

not admitting after demand, and waiting one half hour at the uſual entrance, penalty 10l.

X. And whereas by the different laws heretofore made for the improvement of his Majeſty's revenue, and for preventing frauds therein, common brewers and other perſons brewing or making any beer or ale for ſale, and delivering the ſame to retailers without ſuch certificate as therein mentioned, are made liable to different penalties, by which much uncertainty and confuſion have ariſen: be it enacted by the authority aforeſaid, that from and after the paſſing this act every common brewer, or other perſon

Delivering beer or ale to retailer without certificate 40s. *per* barrel in lieu of all penalties before.

A. D. 1779-80. Chap. 12.

brewing or making any beer or ale for ſale, who ſhall deliver or cauſe to be delivered any beer or ale to any retailer or other perſon ſelling beer or ale without ſuch certificates, as the law requires, ſhall for every barrel ſo delivered without ſuch certificate as aforeſaid forfeit the ſum of forty ſhillings in lieu of all forfeitures or penalties heretofore impoſed for ſaid offence.

Strong beer brewers brewing ſmall, or under 18s. & 4d. *per* barrel 32 gallons each 217 cubical inches and 6-10ths, or between 18s. & 4d. & 22s. without deduction or allowance,

XI. And whereas it is found expedient to aſcertain the prices, at which ſtrong beer or porter ſhall be bought and ſold: be it enacted by the authority aforeſaid, that from and after the twenty ninth day of September one thouſand ſeven hundred and eighty if any common or retailing brewer, who ſhall declare him or herſelf to be a brewer of ſtrong beer or ale, ſhall brew any ſmall beer, or beer or ale of a lower price than at the rate of eighteen ſhillings and four pence by the barrel, containing thirty two gallons, each gallon to contain two hundred and ſeventeen cubical inches and ſix tenths of a cubical inch, or any beer or ale between the prizes of eighteen ſhillings and four pence and twenty two ſhillings the barrel, containing thirty two gallons of the dimenſions aforeſaid, ſuch prices to be clear of all deductions, and without any abatement or allowance made by barrel to the ſcore or otherwiſe; or if any common or retailing brewer, ſo declaring him or herſelf to be a brewer of ſmall beer, ſhall brew any ale or ſtrong beer, that is to ſay, any beer or ale of an higher value than ſix ſhillings the barrel, containing thirty two gallons, each gallon to contain two hundred and ſeventeen cubical inches and ſix tenths of a cubical inch, he, ſhe, or they, ſo reſpectively offending, ſhall forfeit and pay for every ſuch offence the ſum of fifty pounds; one moiety of which penalty or forfeiture ſhall go to his Majeſty, his heirs and ſucceſſors, and the other moiety to the informer.

or ſmall beer brewers brewing ſtrong, above 6s. *per* barrel,

penalty 50l. to king and informer.

Strong beer or porter not under 22s. *per* barrel, ale 18s. and 4d.

XII. And for the more effectual preventing common or retailing brewers from making or ſelling ſtrong beer or porter at a lower price than at the rate of twenty two ſhillings for every barrel containing thirty two gallons of the dimenſions aforeſaid, or ale at a lower price than at the rate of eighteen ſhillings and four pence for every barrel containing thirty two gallons of like dimenſions, be it enacted by the authority aforeſaid, that from and after the twenty ninth day of September one thouſand ſeven hundred and eighty if any common or retailing brewer of ſtrong beer, ale, or porter, ſhall ſell, or if any retailer of ſtrong beer, ale, or porter, ſhall buy, any quantity of ſtrong beer or ale for a lower price than at the rate of eighteen ſhillings and four pence by the barrel, containing thirty two gallons of the dimenſions aforeſaid,

aforeſaid, or any quantity of beer or ale between the prices of eighteen ſhillings and four pence and twenty two ſhillings by the barrel, containing thirty two gallons of the dimenſions aforeſaid, ſuch prices to be clear of all deductions, and without any abatement or allowance made by barrel to the ſcore, or otherwiſe, ſuch common or retailing brewer or retailer ſhall reſpectively forfeit the ſum of twenty pounds for every barrel of ſtrong beer or ale, which ſhall be ſo bought and ſold, and ſo in proportion for a greater or leſs quantity.

without abatement or allowance, penalty 20l. per barrel bought and ſold.

XIII. And be it further enacted by the authority aforeſaid, that from and after the twenty ninth day of September one thouſand ſeven hundred and eighty if any brewer of ſtrong beer or ale ſhall ſell upon truſt or credit at any time or times any quantity of ſtrong beer or of porter at a lower price than at the rate of twenty two ſhillings by the barrel containing thirty two gallons of the dimenſions aforeſaid, or any quantity of ale at a lower price than at the rate of eighteen ſhillings and four pence by the barrel containing thirty two gallons of ſuch dimenſions as aforeſaid, or any ſtrong beer, porter, or ale, between the ſaid prices of twenty two ſhillings the barrel and eighteen ſhillings and four pence the barrel, of ſuch dimenſions as aforeſaid, ſuch prices to be clear of all deductions, and without any abatement or allowance made by barrel to the ſcore or otherwiſe, ſuch brewer or brewers ſhall not be entitled or have any remedy to recover any ſum or ſums of money on account of ſuch beer, ale, or porter ſo ſold as aforeſaid; and all promiſory notes, bonds, or other writings, given as a ſecurity for the payment of ſuch debts or contracts, are hereby declared void, and of none effect.

Securities given for ſtrong beer, ale, or porter ſold lower, void.

XIV. And whereas common brewers of porter, beer, or ale for ſale frequently make uſe of cloſe caſks or vats of large content, and of ſo great height that the gaugers or officers of exciſe cannot reach to the top thereof to take the gauge: and whereas it frequently happens, that ſuch brewers do keep their ſtocks in caſks placed in dark cellars and ſtores, and kept cloſe ſtopped, by means whereof the gaugers or other officers of exciſe cannot gauge and take an account of the quantity or quality of the beer, ale, guile, or wort contained therein, and are prevented from aſcertaining the ſtock on hand of ſuch brewers, to the prejudice of his Majeſty's revenue: for remedy whereof be it enacted by the authority aforeſaid, that as often as any common or retailing brewer ſhall have any caſk or veſſel in his or her cuſtody, the contents whereof ſhall exceed four barrels, and the top of which

Brewer having caſks exceeding 4 barrels and the top above 6 feet from the ground, ſhall furniſh officer with a ſufficient ladder,

which ſhall be above ſix feet from the ground, ſuch brewer, or the perſon attending to ſhew his or her ſtock to the gauger or other officer of exciſe, ſhall on requeſt of ſuch gauger or other officer of exciſe furniſh or cauſe to be furniſhed to the ſaid gauger or other officer of exciſe a ſtrong and ſafe ladder of length ſufficient to enable him to aſcend to the top of ſaid caſk, to be applied to the ſide of any ſuch caſk at which the ſaid gauger or other officer of exciſe ſhall require the ſame to be applied; and that every ſuch brewer ſhall make or cauſe to be made an hole of at leaſt three inches diameter in the head or upper end of each and every of ſaid caſks or veſſels at the ſide next to that, on which the ladder is placed for the gauger or other officer of exciſe to dip or gauge, and take an account of the liquor contained in ſuch veſſel or veſſels; and that ſuch brewer or his ſervant ſhall at the requeſt of the gauger or other officer of exciſe at any time open the ſaid hole for the purpoſe aforeſaid; and if any common or retailing brewer ſhall from and after the paſſing of this act neglect or refuſe to furniſh, or cauſe to be furniſhed to ſuch gauger or other officer of exciſe on demand ſuch ladder as aforeſaid, or to make or cauſe to be made an hole in the head or upper part of ſuch caſk or veſſel in manner aforeſaid, or to open the ſame when required by the gauger or other officer of exciſe as aforeſaid, or ſhall otherwiſe obſtruct or prevent the gauger or other officer from examining and gauging ſuch veſſel or veſſels, ſuch brewer ſhall for every ſuch refuſal, hindrance, or neglect, forfeit the ſum of fifty pounds.

and make an hole of 3 inches in the head of every ſuch caſk next to that ſide, for officer to dip or gauge and take account,

and open it on requeſt,

Brewer refuſing or otherwiſe obſtructing to forfeit 50l.

XV. And be it further enacted by the authority aforeſaid, that every common and retailing brewer of beer, ale, or porter for ſale, or the perſon attending to ſhew ſuch brewer's ſtock, ſhall upon demand made by the gauger or other officer of exciſe furniſh and attend him or them with light ſufficient to enable ſaid officer or officers effectually to gauge and take an account of ſuch brewers ſtock; and that it ſhall be lawful for the gauger or other officer to examine ſaid ſtock of beer, ale, guile, or worts by taſting the ſame or any part thereof; and if any common or retailing brewer or his or her ſervant, who ſhall attend to ſhew ſuch brewer's ſtock, ſhall on demand of the gauger or other officer of exciſe refuſe or neglect to furniſh the ſaid officer with light ſufficient as aforeſaid, or ſhall refuſe or hinder ſuch gauger or other officer of exciſe from taſting the ſtock or any part thereof for the purpoſe herein before mentioned, every ſuch common or retailing brewer ſhall for every ſuch offence forfeit the ſum of fifty pounds.

On demand ſhall furniſh light,

officer may examine ſtock and taſte,

refuſing light or the taſting ſtock, 50l.

XVI. And

XVI. And whereas perſons connected with common brewers under pretence of being purchaſers of beer, ale, or porter in order to ſell by wholeſale, keep ſtores, into which large quantities of beer, porter, or ale clandeſtinely brewed, are conveyed and lodged: and whereas the exciſe officers have been prevented from entering the ſaid ſtores or taking an account of the ſtocks of ſuch perſons as aforeſaid, whereby great frauds are committed to the prejudice of the fair brewer, and alſo of his Majeſty's revenue: therefore be it enacted by the authority aforeſaid, That every perſon receiving beer, ale, or porter from any common or retailing brewer or other perſon in order to ſell the ſame by wholeſale, ſhall, before he or ſhe ſhall commence wholeſale dealer in beer, ale, or porter, or ſell or deliver any part thereof out of his or her cuſtody, give a notice in writing at the exciſe office of the diſtrict where he or ſhe ſhall reſide, of his or her intention ſo to commence wholeſale dealer with his or her name and place of abode; and that it ſhall and may be lawful for the gauger or gaugers, or other exciſe officer of the diſtrict, at all times to enter in the day time the houſes, cellars, ſtores, and other places of every ſuch perſon, and gauge, taſte, and take an account of all beer, ale, porter, guile, or wort there found, in like manner as if ſuch perſon or perſons was or were common brewers; and if any ſuch perſon ſhall ſell or deliver any beer, ale, porter, guile, or wort, before he or ſhe ſhall ſo give notice in writing in manner aforeſaid, or having given ſuch notice ſhall not permit and ſuffer the gauger or other exciſe officer to enter into his or her houſe, cellar, ſtore or other place, or when entered ſhall prevent or hinder him or them from ſearching, gauging, taſting, or taking an account of all beer, ale, porter, guile, or wort there found, or ſhall refuſe to ſhew and count his or her ſtock of beer, ale, porter, guile, or wort, and declare the quantity ſhewed to be all his or her ſtock, or ſhall not declare or ſhall conceal any part there, or ſhall not truly declare, for whom and when he or ſhe received the ſame, ſuch perſon ſhall forfeit for every ſuch offence the ſum of twenty pounds.

Every perſon receiving beer, &c. from common brewer to ſell by wholeſale, ſhall firſt give notice of ſuch intent to officer where reſident with name and abode,

and officer may by day enter, gauge, taſte, and take account as if a common brewer,

ſelling or delivering before notice, obſtructing officer, refuſing to ſhew or count ſtock, or to declare, or not truly from whom and when received, 20l.

XVII. And whereas by the ſaid in part recited act of the fourteenth and fifteenth of Charles the ſecond the return made by the gauger to the commiſſioners or ſubcommiſſioners of exciſe or their deputies of beer and ale brewed, and of ſtrong waters made or diſtilled, is a charge upon the brewer or diſtiller, who is obliged to pay exciſe accordingly, in caſe the return of ſuch gauger do exceed what the ſaid brewers and diſtillers ſhall upon their entries charge themſelves with, and not otherwiſe, in order as much as may be to prevent diſputes and contentions between revenue offi-

By 14 & 15 C. 2. c. 8. ſ. 34. return by gauger a charge on brewers or diſtillers, if above their entries,

A. D. 1779-80. Chap. 12.

cers and brewers and diſtillers, and to guard againſt miſtakes and miſrepreſentations by revenue officers with reſpect to the quantity and quality of the liquors ſo charged upon brewers and diſtillers: be it enacted by the authority aforeſaid, That as often as any diſpute or difference ſhall ariſe between the revenue officer and the brewer or diſtiller touching the quantity or quality of the liquor ſo charged by the revenue officer upon the brewer or diſtiller, the ſaid return ſo made by the ſaid revenue officer or officers ſhall be verified by the oath of ſuch officer or officers, to be made before one of the chief commiſſioners or ſubcommiſſioners of exciſe, who are hereby reſpectively impowered to adminiſter the ſame, that the ſaid return ſo by him made is truly and fairly made to the beſt of his ſkill and knowledge, and the ſaid return ſhall then be a charge upon the brewer or diſtiller ſo diſputing the ſame, and not otherwiſe.

on diſpute of the quantity or quality the return ſhall be verified on oath and then a charge, and not otherwiſe.

33 G. 2. c. 10. ſ. 84. recited,

XVIII. Whereas by the ſaid in part recited act of the thirty third of George the ſecond it is amongſt other things enacted, That it ſhall and may be lawful to and for the gauger and officers of exciſe from and after the twenty fourth day of June one thouſand ſeven hundred and ſixty to keep an account of all waſh, pot ale, and low wines, which ſhall from time to time be found by him or them in the hands or poſſeſſion of any diſtiller or diſtillers, and upon any decreaſe of waſh made of drink brewed or made from malted or unmalted corn, or any other grain, to charge ſuch diſtiller or diſtillers with as much ſtrong waters, as one ninth part of the waſh ſo decreaſed ſhall amount unto, or with as many gallons of ſtrong waters as one third part of the firſt extraction from the ſaid waſh ſo decreaſed, commonly called low wines, ſhall amount to: and whereas by an act paſſed in the fifteenth and ſixteenth years of the reign of his preſent Majeſty King George the third, entitled, *An act for the improvement of his Majeſty's revenue, and the more effectually preventing of frauds therein, and for continuing and amending ſeveral laws heretofore made and now in force relative to his Majeſty's ſaid revenue*, it is amongſt other things enacted, that in caſe the officer of exciſe within his reſpective walk or diſtrict ſhall find any ſtill or ſtills at work, and declared by the diſtiller, or any perſon employed by him or her, to be at work, for the purpoſe of rectifying ſpirits, and ſhall not find a proper decreaſe equal to the charge of the ſtill from the ſtock of ſpirits, or that any diſtiller or diſtillers ſhall refuſe to declare, what is then in the ſtill, then and in either of the ſaid caſes it ſhall be lawful for ſuch officer of exciſe to charge the diſtiller, as if the ſaid ſtill was filled with low wines; and ſuch

15 & 16 G. 3. c. 15. ſ. 18. recited,

diſtiller ſhall pay the duties due and payable to his Majeſty accordingly; and if ſuch diſtiller ſhall declare, that he is diſtilling faints, then it ſhall be lawful for ſuch officer of exciſe to charge the diſtiller as if the ſaid ſtill was filled with pot ale, and ſuch diſtiller ſhall pay the duties due and payable to his Majeſty accordingly. And whereas it has been found that great frauds have been committed by diſtillers removing their faints in ſtock and replacing them with low wines clandeſtinely diſtilled: and at the time of ſhewing their ſtocks to the gauger, declaring ſuch low wines to be faints, and under pretence of diſtilling faints large quantities of low wines have been diſtilled: be it enacted by the authority aforeſaid, That from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty if any diſtiller or his or her ſervant, who ſhall ſhew the ſtock of ſuch diſtiller to the gauger, ſhall declare any part of ſuch diſtiller's ſtock to be faints, and that it ſhall be found, that nine gallons thereof ſhall contain or produce more than one gallon of proof ſpirits, then and in ſuch caſe all ſuch liquors ſo declared as faints, or found concealed after declaration ſhall be forfeited with the veſſels containing the ſame; and the perſon ſo offending ſhall forfeit the ſum of twenty ſhillings for every three gallons thereof; or if any diſtiller, or his or her ſervant, ſhall declare to the gauger, that his or her ſtill or ſtills are charged with or diſtilling faints, that ſuch diſtiller or his or her ſervant ſhall at the requeſt of the gauger work off ſaid ſtill in the preſence and according to the direction of the gauger without ſtopping it or cauſing it to run foul, and ſhall put the produce thereof into a veſſel or veſſels capable of containing not leſs than one hundred gallons each, as the gauger ſhall direct, without wilful waſting or deſtroying any part thereof; and if ſuch diſtiller ſhall refuſe to work off ſuch ſtill, or ſhall ſtop it when ſet to work, or ſhall ſpill or deſtroy any of the produce, ſuch diſtiller ſhall forfeit the ſum of fifty pounds; and if it ſhall be found, that the produce of ſuch ſtill or ſtills ſhall amount to more proof ſpirits than one ninth part of the content of ſuch ſtill or ſtills, allowing one ſeventh of the content of ſuch ſtill for working, ſuch diſtiller ſhall forfeit for every gallon of proof ſpirits ſo produced over and above the ſaid ninth part of twenty ſhillings; the ſtrength of ſuch ſpirits and of ſuch liquors as ſhall be declared as faints to be determined by the hydrometer uſed for proving the ſtrength of imported ſpirits; and if it ſhall be found, that either ſalt, ſugar, ſyrrup, or any glutinous matter ſhall be mixed with any ſpirits, or any liquor declared as faints, ſo as to prevent their ſtrength being known by the hydrometer, the diſtiller in whoſe

frauds by diſtilling low wines under pretence of faints,

if ſtock declared faints, and 9 gallons produce more than one of proof ſpirits, the liquors and veſſels forfeited and 20s. every 3 gallons,

ſtills worked off by gauger's direction without ſtopping or cauſing to run foul,

produce in veſſels of 100 gallons each without waſting,

penalty 50l. on diſtiller,

if produce more proof ſpirits than 1-9th of the content (allowing 1-7th for working) 20s. every gallon over forfeited,

determined by the hydrometer,

if mixture to prevent knowing their ſtrength, forfeited with the caſk and 20l.

A. D. 1779-80. Chap. 12.

custody such liquor declared as faints, and so mixed, or such spirits so mixed shall be found, shall forfeit the sum of twenty pounds together with such liquor or spirits, and the cask containing the same.

To prevent charging stills in officer's absence,

XIX. And whereas great frauds are committed by distillers charging their stills in the absence of the officers of excise with worts or wash, of which no account hath been taken by the said officers: for remedy whereof be it enacted by the authority aforesaid, That on or before the twenty ninth day of September one thousand seven hundred and eighty every distiller, maker, compounder, or rectifier of low wines, spirits, or strong waters, except chemists, apothecaries, or druggists, shall provide at his or her expence such fastenings to the head, furnace, door, and cocks of every still, as shall be approved of by the inspector or surveyor of the district, where such distiller resides, and shall pay for such locks and keys, as shall be provided by the inspector or surveyor for securing the same; and if at any time any of said fastenings or locks shall be broken or put out of order, such distiller shall pay for repairing the same on pain of forfeiting fifty pounds.

fastenings and locks provided and repaired at expence of distillers,

penalty 50l. for not repairing.

Repealed by 21 & 22 G. 3. c. 15. s. 13.

XX. And be it enacted by the authority aforesaid, That from and after the twenty ninth day of September one thousand seven hundred and eighty every distiller shall, from the day he or she shall set his or her still at work, be charged and pay excise in manner and at the respective rates herein after mentioned for twenty eight days, and for every day longer that the head or heads of his or her still or stills shall remain unlocked, or until he or she shall give to the collector, surveyor, and gauger the notice herein after directed of the day of his or her intending to stop working, and shall also stand charged and pay excise in like manner and at the like rate, and for the like time, after every future declaration from the day of unlocking his or her still or stills.

XXI. And be it enacted by the authority aforesaid, That from and after the twenty ninth day of September one thousand seven hundred and eighty, every distiller, who shall not have a copper or other vessel to brew his pot ale with, and who shall have one or more stills, shall be charged with and shall pay excise for four charges of low wines for each still for twenty eight days after the day, on which such distiller shall begin to distil, together with the excise of as much more pot ale, wash, low wines, singlings, or strong waters, as he or she shall be found to make or distil within said space of twenty eight days, and in like proportion

portion for every day, until such distiller shall give notice in writing to the collector of the district and to the surveyor and gauger of the walk of the day, on which he or she intends to stop working, and shall require, that his or her still or stills may be locked.

XXII. And be it enacted by the authority aforesaid, That from and after the twenty ninth day of September, one thousand seven hundred and eighty, every distiller, who shall have one or more still or stills and a copper or other vessel to brew his pot ale with, shall be charged with and shall pay excise for six charges of low wines for each still for twenty eight days, after such distiller shall begin to distil, together with the excise of as much more pot ale, wash, low wines, singlings, or strong waters, as he or she shall be found to make or distil within said space of twenty eight days, and in like proportion for every day until such distiller shall give notice in writing to the collector of the district, and the surveyor and gauger of the walk, of the day on which he or she intends to stop working, and shall require, that his or her still or stills may be locked.

XXIII. And be it enacted by the authority aforesaid, That from and after the twenty ninth day of September, one thousand seven hundred and eighty, every distiller, who shall intend to stop distilling, may after twenty eight days from the day of his or her beginning to distil stop by giving notice in writing six days before the day, he or she intends to stop, to the collector of the district, and the surveyor and gauger of the walk, where such distiller resides, of his or her intention, and requesting that his or her still or stills may be locked on a day to be therein named; and that after the receipt of such notice by the surveyor or gauger it shall then be lawful for the surveyor or gauger to strap down and lock on the head of each still belonging to such distiller, and to lock the door of the furnace grate, and to secure, stop, and lock the discharge cock or pipe of each still; and if the surveyor or gauger shall by any means be prevented or hindred from so doing by any person at such distillery, or by the distillery being locked up, and no person appearing to give him entrance, such distiller shall stand charged and shall pay excise, as if no notice had been given of his intention to stop; and if at any time, twenty four hours after any still shall be locked, such still, or the works in which it is set, shall be found hot, the distiller, to whom it belongs, shall forfeit the sum of fifty pounds, except such still shall be opened on a new declaration in manner herein after mentioned.

XXIV. Be it enacted by the authority aforesaid, That from and after the twenty ninth day of September one thousand seven hundred and eighty any distiller, who

A. D. 1779-80. Chap. 12.

ſhall ſtop diſtilling for a time, and deſire to ſet to work again, ſhall give four days notice to the collector of the diſtrict, and the ſurveyor and gauger of the walk, where ſuch diſtiller reſides, of the day on which he intends to begin to work again; and the ſurveyor or gauger ſhall upon ſuch notice open the locks and faſtenings of the ſtills of ſuch diſtiller, and charge him or her with exciſe as before directed.

No hole in head or breaſt of ſtill, thro' which charged,

XXV. And be it enacted by the authority aforeſaid, That from and after the twenty ninth day of September one thouſand ſeven hundred and eighty no diſtiller ſhall have any hole in the head or breaſt of any ſtill, through which the ſame may be charged;

nor leſs of wort or pot ale at one time than 400 gallons, penalty 10l.

nor ſhall any diſtiller after the twenty fifth day of March one thouſand ſeven hundred and eighty one ſet in any back or ſmaller quantity of wort or pot ale at one time than four hundred gallons on pain of forfeiting the ſum of ten pounds.

Sugar bakers on decreaſe of waſh, unleſs ſold and delivered to licenced diſtillers, charged with duty by diſtillers.

XXVI. And whereas ſugar bakers by concealing the names of the perſons to whom they have ſold ſugar water waſh, and by giving into the revenue officers fictitious names of perſons and places have been guilty of great frauds, to the prejudice of the revenue: be it enacted by the authority aforeſaid, That from and after the twenty fourth day of Auguſt one thouſand ſeven hundred and eighty as often as any decreaſe of ſugar waſh ſhall be made at any ſugar bakers, unleſs the ſame ſhall be found to be ſold and delivered to a licenſed diſtiller, ſuch ſugar baker ſhall be charged and ſhall pay the duty payable on the ſame by diſtillers and makers of low wines, ſpirits, *aquavitæ*, or ſtrong waters for ſale.

Waſh in veſſels at ſugar bakers 24 hours after taken from ciſtern, or not declared, forfeited,

XXVII. And whereas diſtillers, who buy ſugar waſh, frequently put the ſame in caſks in ſugar baker's yards to be fermented: be it enacted by the authority aforeſaid, That from and after the twenty fourth day of Auguſt one thouſand ſeven hundred and eighty all ſugar waſh, found in veſſels at any ſugar bakers twenty four hours after it ſhall be taken from the ciſtern, or not declared to the gauger, ſhall be forfeited together with the veſſels containing the ſame;

and veſſels with leſs than 400 gallons of ſugar waſh at diſtillers.

and all veſſels containing a ſmaller quantity than four hundred gallons of ſugar waſh, found at any diſtillers, ſhall be forfeited together wirh the waſh therein contained.

Spirits, waſh, &c. found with

XXVIII. And whereas diſtillers in order to evade the law conceal large quantities of ſpirits, low wines, ſinglings, waſh,

and

and pot ale, in premiſſes belonging to other perſons adjacent to ſuch diſtillers dwelling houſes and diſtilleries; by which means ſuch fraudulent diſtillers frequently eſcape conviction: be it enacted by the authority aforeſaid, That from and after the twenty fourth day of Auguſt one thouſand ſeven hundred and eighty all ſpirits, waſh, pot ale, low wines, and finglings, found in the houſes or premiſſes of any perſon not licenſed to diſtil the ſame, except ſpirits for which a permit ſhall be produced, ſhall be forfeited, and the veſſels containing the ſame; and that the perſon or perſons, on whoſe premiſſes the ſame ſhall be found, ſhall be ſubject to the penalties, to which diſtillers are liable for concealing the ſame.

perſons not licenced to diſtil, (except permit produced) forfeited with the veſſels,

and ſubject to penalties on diſtillers concealing.

XXIX. And be it enacted by the authority aforeſaid, That from and after the twenty fourth day of Auguſt one thouſand ſeven hundred and eighty it ſhall and may be lawful for any officer of exciſe, who ſhall find any waſh or pot ale concealed in any place, not being the property of nor claimed by a licenſed diſtiller, to ſell the veſſels containing ſuch waſh to any licenſed diſtiller together with the ſaid waſh, provided ſaid waſh ſhall ſell for a ſum equal to the duty chargeable thereon; otherwiſe ſuch waſh ſhall be ſpilled; and in caſe ſuch waſh ſhall be ſold, the purchaſer thereof ſhall be charged with and pay to the collector of the diſtrict, where ſuch diſtiller ſhall reſide, exciſe for the ſame in like manner as for any other part of his or her ſtock together with the purchaſe money thereof.

Waſh or pot ale concealed, not claimed by licenſed diſtiller, ſold with veſſels to any licenſed, if equal to the duty,

otherwiſe ſpilled,

if ſold, charged with exciſe as for other part of ſtock.

XXX. Whereas the granting licences for diſtilling ſpirits to perſons, who dwell in obſcure places remote from the eſtabliſhed reſidence of revenue officers, hath very much encreaſed the expence of collecting the revenue, contributed to frauds therein, and much hindred the health of many of his Majeſty's ſubjects by the conſumption of bad ſpirits, and hath been extremely injurious to the fair diſtiller, and to his Majeſty's revenue of exciſe: be it enacted by the authority aforeſaid, That from and after the twenty ninth day of September one thouſand ſeven hundred and eighty every diſtiller, who ſhall make uſe of one or more ſtill or ſtills, containing one thouſand gallons each or upwards, ſhall have an allowance or abatement in the payment of his or her exciſe, at the rate of ſix *per centum* for all waſh diſtilled in ſaid ſtill or ſtills; and that every diſtiller, who ſhall make uſe of one or more ſtill or ſtills of five hundred and under one thouſand gallons each, ſhall have an allowance or abatement in the payment of his or her exciſe at the rate of three *per cent.* for all waſh diſtilled in ſaid ſtills.

Abatement 6 *per cent.* for waſh in ſtills of 1000 gallons,

of 500 3 *per cent.*

A. D. 1779-80. Chap. 12.

Licences heretofore void,

XXXI. Whereas the laws heretofore made in this kingdom relative to granting licences to perſons for liberty to carry on the diſtilling buſineſs, and to chemiſts, apothecaries, and druggiſts, have been found inſufficient: be it enacted by the authority aforeſaid, That from and after the twenty ninth day of September one thouſand ſeven hundred and eighty all licences heretofore granted to diſtillers, chemiſts, apothecaries, or druggiſts, ſhall be null and void; and that every diſtiller, apothecary, chemiſt, or druggiſt ſhall on or before the ſaid twenty ninth day of September one thouſand ſeven hundred and eighty, and alſo on or before the twenty ninth day of September in every ſubſequent year, take out a licence for the purpoſes aforeſaid to continue and be in force for one year only, aad enter into ſuch ſecurity, and in ſuch manner, as by the laws heretofore made they are reſpectively directed to do, on pain of forfeiting all ſtills and diſtilling utenſils, ſpirits, low wines, or waſh, and the veſſels and caſks containing the ſame, which ſhall be found in the poſſeſſion of ſuch diſtiller, apothecary, chemiſt, or druggiſt, who ſhall not have ſuch licence as aforeſaid; all which ſtills and diſtilling utenſils, ſpirits, low wines, or waſh, and the veſſels and caſks containing the ſame, any officer or officers of the revenue may ſeize and carry away.

diſtiller, apothecary, chemiſt, or druggiſt, ſhall every 29 Sept. take out licence for 1 year only, & enter into ſecurity as by laws heretofore, or forfeit ſtills, utenſils, ſpirits, low wines, or waſh, and caſks,

ſeized by any officer.

17 & 18 G. 3. c. 8. ſ. 33. repealed.

XXXII. And whereas by an act paſſed in the ſeventeenth and eighteenth years of the reign of his preſent Majeſty, entitled, *An act for the improvement of his Majeſty's revenue, and the more effectually preventing of frauds therein, and for continuing and amending ſeveral laws heretofore made and now in force relative thereto*, it is required, that with reſpect to the city and liberties of Dublin, and within three miles from the caſtle of Dublin, no collector or his clerk under the penalty of fifty pounds do grant any licence for the purpoſe therein mentioned, unleſs ſuch certificate, as is therein mentioned, be depoſited by the next reſiding juſtice of the peace in perſon with the collector of Dublin or his clerk: and whereas the ſaid regulations have not anſwered the deſired purpoſe: be it further enacted by the authority aforeſaid, That the ſaid clauſe of the ſaid act be and the ſame is hereby repealed and made null and void.

Licenced to ſell liquors painted on a board, letters an inch long, black on white ground, fixed conſpicuous

XXXIII. And be it enacted by the authority aforeſaid, That from and after the twenty ninth day of September one thouſand ſeven hundred and eighty all perſons ſelling wine, ſpirits, malt liquors, or cyder ſhall have painted on a board with letters at leaſt an inch long in black on a white ground the words licenced to ſell wine, ſpirits, malt liquors, or cyder, as the caſe

may be, and ſhall affix the ſame over the door, or ſome other conſpicuous place on the outſide of his, her, or their houſe, and preſerve and keep up the ſame during the time, he, ſhe, or they ſhall continue to ſell ſaid liquors or any of them, or in default thereof ſhall forfeit the ſum of ten pounds.

on outſide, & preſerved, penalty 10l.

XXXIV. And be it enacted by the authority aforeſaid, that if any perſon ſhall knowingly ſell or deliver any porter, beer, ale, or ſpirits in any city or town corporate to any unlicenſed retailer, ſuch perſon ſhall for every ſuch offence forfeit the ſum of five pounds: and that if any ſuch unlicenſed retailer ſhall diſcover and proſecute to conviction any perſon, who knowingly ſo ſupplied him or her with porter, beer, ale, or ſpirits, ſuch retailer ſhall be diſcharged from and ſhall not be ſued or proſecuted for any penalty by him incurred for ſelling without licence at any time before the commencement of ſuch proſecution, and ſhall alſo be intitled to a moiety of ſuch penalty of five pounds.

Selling or delivering porter, beer, ale, or ſpirits in city or town to unlicenced retailer, 5l. ſuch retailer proſecuting diſcharged penalty, and intitled to moiety of the 5l.

XXXV. And be it enacted by the authority aforeſaid, that no perſon ſhall be intitled or have any remedy to recover any ſum or ſums of money on account of any porter, beer, ale, or ſpirits, knowingly ſold to an unlicenſed retailer; and that all promiſory notes, bonds, or other writings, given as a ſecurity or ſecurities for the payment of debts contracted for any porter, beer, ale, or ſpirits, ſo ſold to an unlicenſed retailer, are hereby declared to be void and of none effect.

No money recoverable thereon, and ſecurities given void.

XXXVI. And be it alſo enacted by the authority aforeſaid, that every perſon, who hath obtained or ſhall obtain a licence for retailing beer, ale, porter, wine, ſpirits, or cyder, ſhall, when required by the ſurveyor, gauger, or other officer of exciſe of the walk, where ſuch perſon lives, produce and ſhew ſuch licence, and allow ſaid officer to take a copy thereof, or in default thereof ſhall for every ſuch offence forfeit the ſum of forty ſhillings.

Licence to retail produced to officer, and copy taken, penalty 40s.

XXXVII. And be it further enacted by the authority aforeſaid, that every perſon dealing in ſpirits, except wholeſale importers, and every ſhopkeeper, or other perſon dealing in exciſeable goods in any city, county town, or town corporate, having more than ſixty three gallons of ſpirits in his or her cuſtody, ſhall be deemed a retailer of ſpirits to all intents and purpoſes, and ſubject to all ſuch regulations as retailers of ſpirits are now by law ſubject to; and that all ſhops where ſpirits are uſually expoſed to ſale, or kept in any quantity exceeding one gallon, except apothecaries or druggiſts ſhops, ſhall be deemed places for retailing of ſpirits; and the perſon or perſons, who ſhall keep

Dealers in ſpirits, (except wholeſale importers,) ſhopkeeper or dealer in exciſeable goods in city, &c. having above 63 gallons, deemed retailer, ſhops, except apothecaries or druggiſts, where above 1 gallon,

A. D. 1779-80. Chap. 12.

ſuch ſhop, ſhall be liable and ſubject to all ſuch regulations, as retailers of ſpirits are now by law ſubject to.

deemed places retailing.

XXXVIII. And for the better levying the duty payable for licence to ſell beer, ale, porter, cyder, wine, or ſpirits, and for preventing the ſale of ſuch liquors without licence, be it enacted by the authority aforeſaid, that it ſhall and may be lawful for any ſurveyor, gauger, or other officer of exciſe within their ſeveral diſtricts reſpectively with the aſſiſtance of a conſtable in the day time to enter into the houſe, ſhop, cellar, ſtorehouſe, or other place of any perſon or perſons deemed by this or any other act now in force to be a ſeller or ſellers, retailer or retailers, of any of the liquors aforeſaid, and to demand the licence or licences for ſelling or retailing ſuch liquor or liquors as ſuch perſon or perſons, from whom the ſame ſhall be demanded, and who ſhall by this or any other act now in force ſhall be deemed a ſeller or ſellers, retailer or retailers, of any of the liquors aforeſaid; and upon refuſal or neglect of ſuch retailer or retailers to produce ſuch licence or licences to ſuch officer or officers ſo demanding the ſame to levy by diſtreſs and ſale of ſuch retailers goods ſuch ſum or ſums, as are or ſhall be payable by ſuch retailer or retailers upon obtaining ſuch licence or licences, in ſuch manner and by ſuch means as the revenue ariſing by hearth money is by law appointed to be levied and collected.

Officers with a conſtable may by day enter, and demand licence of ſuch deemed retailers,

on not producing, to levy ſums payable on licence by diſtreſs and ſale as hearth money.

Subject to the duty, and obliged to take out ſuch licence.

XXXIX. And be it enacted by the authority aforeſaid, that every perſon licenſed to ſell by retail any of the liquors aforeſaid, or ſo deemed to be a retailer of any of the liquors aforeſaid, ſhall be ſubject to the duty, and be obliged to take out a licence, for each and every ſuch liquors ſo found in his cuſtody and poſſeſſion as aforeſaid.

Licence to retail ale and ſpirits extended to cyder.

XL. Be it enacted by the authority aforeſaid, that the ſeveral proviſions, clauſes, and regulations in this or any other former act now in force in relation to licence, to be granted for the retail of ale and ſpirits, ſhall extend and be conſtrued to extend to licences to be granted for the retail of cyder in this kingdom.

Account in writing in 60 days from 24 *Aug.* 1780 to collector of name and abode, and quantity of tobacco in poſſeſſion, or of other for their uſe,

XLI. To the end that the officers of his Majeſty's revenue may be the better enabled to keep a regular ſtock account on the venders of tobacco, be it enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of Auguſt one thouſand ſeven hundred and eighty every importer and manufacturer of tobacco, and every other perſon who ſhall have or hold in his, her, or their cuſtody, power, or poſſeſſion, or in the cuſtody of any other perſon or perſons, any quantity of tobacco either of

his, her, or their own property, or the property of any other perſon or perſons, ſhall within the ſpace of ſixty days, to be reckoned and computed from the ſaid twenty fourth day of Auguſt one thouſand ſeven hundred and eighty, give and deliver to the collector of exciſe at the exciſe office within the diſtrict, where ſuch perſon or perſons ſhall reſide, a true account in writing of his, her, or their name or names reſpectively, and place or places of abode, and the true quantity of tobacco which ſuch perſons ſhall reſpectively at the time of giving in ſuch account have in his, her, or their cuſtody, power, or poſſeſſion, or in the poſſeſſion of any other perſon or perſons for their uſe; which account ſhall alſo contain the outward bulks of every hogſhead, caſk, cheſt, or other package, in which ſuch tobacco ſhall be contained, and alſo all and each and every of the ſeveral and reſpective marks, numbers, and weights, (if any,) ſet upon all and each and every ſuch hogſhead, caſk, cheſt, or other package, and diſtinguiſhing the quantity contained in each of them; and alſo the quantities in caſe, or looſe, and the quantity of ſtalk, and number of rolls, to wit, ſnuff, rolls, cane, or pigtail, ſeparately, with the exact weight thereof, and the particular warehouſes, ſtorehouſes, cellars, or other places where the ſame are then lodged and lie; which account ſhall be ſigned by ſuch importer or manufacturer of tobacco, or other perſon as aforeſaid, or one of his, her, or their known ſervants or agents, with their ſeveral and reſpective names and places of abode; and in caſe any ſuch importer or manufacturer of tobacco, or other perſon as aforeſaid, ſhall neglect to give in ſuch account as aforeſaid at the time, and in ſuch manner and form, as herein before directed and required, or in caſe ſuch account ſhall appear to be falſe or fraudulent, all ſuch tobacco, ſtalks, ſnuff, or other kind or ſpecies thereof, of which no account or for which a fraudulent account ſhall knowingly be given, and the caſks, cheſts, caſes, or other packages containing the ſame ſhall be forfeited, and ſhall and may be ſeized by any officer or officers of his Majeſty's revenue; and the perſon or perſons ſo offending ſhall forfeit and loſe treble the value thereof to be ſued for and proſecuted in manner herein after mentioned.

the outward bulks of every package, marks, numbers, and weights, and quantity in each, in caſe, or looſe, ſtalk, number of rolls ſeparately, exact weight, and places where lodged,

account ſigned by importer, &c. or known agent, with name and abode,

not giving ſuch true account the tobacco, &c. with package forfeited, and treble value.

XLII. Provided always, and be it further enacted by the authority aforeſaid, that if the perſon, in whoſe cuſtody ſuch tobacco, being the property of any other perſon or perſons, ſhall be found, ſhall inform or be the diſcoverer of ſuch ſecreted or concealed tobacco, ſuch perſon ſo informing of or diſcovering the ſame ſhall be admitted to give evidence thereof, and ſhall, in caſe

Diſcoverer of concealed tobacco admitted in evidence,

exempt from penalty,

case such information or discovery be found true, not only be indemnified against and exempted from the aforesaid penalty, by him incurred for so secreting or concealing the same, but shall also be intitled to and shall receive the informer's moiety of what the same shall sell for.

and intitled to moiety on sale.

On tobacco imported or coastways, before disposed of or stored a certificate received with each quantity discharged, specifying particularly,

XLIII. And be it further enacted by the authority aforesaid, that from and after the said twenty fourth day of August one thousand seven hundred and eighty every person or persons, who shall import tobacco or receive any tobacco by coast cocket or other certificate, shall, as often as he, she, or they shall import or so receive the said tobacco, as soon as the same shall be discharged by the proper officer or officers, before such importer or receiver of tobacco shall dispose of or store any part thereof, he, she, or they shall receive a certificate with each quantity discharged, specifying the number of hogsheads, or other packages, in which the said tobacco is contained, and the day when the duty was paid, or the date of the coast cocket, in case such tobacco should be brought coastways, with the importer's name, the ship or boat's name, the number of the warrant by which the duty was paid, the marks and numbers on the hogsheads or packages, the entire weight of the said tobacco, to be written in words at length, and not in figures, without erasement or interliniation, and the day of granting the said certificate, which certificate shall be signed by the port surveyor and land waiter, who discharge the same; and such importer or other person so receiving said tobacco, as the case shall be, shall within three days after the date of the said certificate deliver the same, and every other certificate that he shall receive with any tobacco bought or received by inland certificate, at the excise office of the district, wherein the person so receiving said tobacco shall reside, that a true copy of such certificate may be taken by such officer, and that the quantity in such certificate may be added to his first return of stock.

signed by surveyor and land waiter,

delivered in 3 days, with every other by inland, at excise office,

a copy taken, added to first return of stock.

Increase in stock, for which certificate not produced, forfeited, and treble value.

XLIV. And be it further enacted by the authority aforesaid, that from after the the said twenty fourth day of August one thousand seven hundred and eighty, if any encrease shall be found in the stock of any person so under stock as aforesaid, for which such person shall not produce such a certificate, as shall herein after be directed and appointed, such encreased quantity shall be forfeited, and may be seized by any officer of his Majesty's revenue; and the person, in whose custody the same shall be found, shall forfeit treble the value thereof.

XLV. And

XLV. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of Auguſt one thouſand ſeven hundred and eighty every officer inſpecting the ſtock of tobacco of any perſon, ſo under ſtock as aforeſaid, ſhall, after he enters an account of the ſame in his book and receives a declaration of the ſame, give a true and fair copy of his ſaid entry to ſuch perſon, who ſhall ſhew the ſtock and give a declaration thereof; which copy without alteration or eraſement ſhall be ſigned by ſuch officer; and on any difference ariſing between ſuch perſon ſo under ſtock and ſuch officer on account of any charge of encreaſe in ſtock ſuch copy may be produced by ſuch perſon ſo under ſtock on any trial upon any information, which may be brought againſt ſuch perſon for any ſuch encreaſe of ſtock, and ſhall be received as evidence thereon.

Fair copy of entry of account, ſigned by the officer given to perſon ſhewing ſtock and declaring,

and evidence on information for increaſe of ſtock.

XLVI. And for the more effectual preventing the ſale of tobacco clandeſtinely imported into this kingdom be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of Auguſt one thouſand ſeven hundred and eighty it ſhall and may be lawful to and for any ſurveyor, gauger, or other officer of exciſe duly appointed, to enter in the day time the houſes, ſtores, ſhops, cellars, and all other places of or belonging to any perſon buying, manufacturing, ſelling, ſtoring, or keeping in his, her, or their cuſtody or poſſeſſion any quantity of tobacco, and from time to time to take an account of the tobacco found therein; and if any ſuch perſon or perſons ſo buying, ſelling, manufacturing, or otherwiſe ſtoring or keeping in his, her, or their cuſtody or poſſeſſion any quantity of tobacco as aforeſaid, ſhall refuſe or hinder ſuch officer or officers, his or their aſſiſtant or aſſiſtants, to enter into any of his or their ſaid houſes, ſtores, ſhops, cellars, or other places, or, having permitted them to enter, ſhall afterwards refuſe or prevent them from taking an account from time to time of all tobacco there found, or ſhall refuſe to ſhew and weigh the ſame or any part thereof, except tobacco in caſe, or to furniſh legal ſcales and weights for the purpoſe of weighing the ſame, or refuſe to ſhew and declare the quantity of his, her, or their ſeparate ſtocks of tobacco looſe or in package, or number of rolls of cane, and pigtail, or ſnuff, roll, or quantity of ſtalk tobacco, or tobacco in caſe, particularly expreſſing the quantities of each kind, ſuch perſon ſhall forfeit the ſum of one hundred pounds.

Exciſe officer may by day enter and take account of tobacco found,

refuſing entrance, or preventing taking account, or to ſhew and weigh (except in caſe) or legal ſcales and weights, or to declare ſeparate ſtocks and quantities of each kind,

penalty 100l.

XLVII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of Auguſt one thouſand ſeven hundred and eighty every importer of tobacco

Certificate delivered with tobacco by importer, ſpecifying out-

A. D. 1779-80. Chap. 12.

ward bulk, marks, &c.

shall on the delivery thereof, or of any part thereof, to any person whatsoever, deliver therewith a certificate specifying the outward bulks, marks, and numbers, net weight, when the duty was paid, with the name or names of the ship or ships in which the same was imported, as also the person or persons, and his or their place or places of abode, to whom the same was sold and delivered; which certificate shall be signed by such importer, or some other person in his or her name, for whom he or she shall be responsible; and if any tobacco shall be found in the possession or custody of any person conveying the same from any one place to another, unless such person so conveying the same, or who shall have the care and carriage thereof, shall actually produce such certificate as aforesaid, or such other certificate as in such case shall herein after be directed, on demand thereof by any officer of his Majesty's revenue, or if such officer shall upon examination of such certificate have reason to suspect the same to be counterfeit, it shall and may be lawful to and for the said officer to detain the said tobacco: and if it shall afterwards appear, that such certificate was actually counterfeit, all the tobacco under cover of the said certificate shall be forfeited.

signed by him, or person for whom responsible,

produced by person conveying on demand by officer,

who on suspicion of being counterfeit may detain the tobacco,

if counterfeit, forfeited.

XLVIII. And be it further enacted by the authority aforesaid, that if from and after the said twenty fourth day of August one thousand seven hundred and eighty it shall appear by the respective certificates, so given by any person selling or delivering tobacco or by other sufficient proof, that such person shall have delivered more tobacco, than a decrease shall appear for in the stock of such person's tobacco, such person shall forfeit at the rate of two shillings *per* pound, for every pound it shall be proved he or she shall have so delivered, for which there shall not be a proportionable decrease in his or her stock of tobacco, making a reasonable allowance, not exceeding thirty pounds weight for every hundred pounds weight, as an increase by manufacture on all roll tobacco sold or delivered; and also that the respective certificates so given as aforesaid shall be admitted as evidence on any trial thereafter to be had, that the person or persons, in whose name or names the said certificates were given, had delivered the quantity of tobacco therein expressed.

If by certificates or other proof more delivered than a decrease in stock appears for, 2s. *per* lb. forfeited,

allowing not above 30lb. every 100lb. as increase by manufacture on roll,

certificates evidence on trial of the quantity delivered.

XLIX. And be it further enacted by the authority aforesaid, that from and after the said twenty fourth day of August one thousand seven hundred and eighty no wholesale importer of tobacco shall sell or deliver any tobacco to any manufacturer or other person, but in the package wherein the same was imported (except as is herein after excepted) nor less than one hogshead, or

No wholesale importer shall sell or deliver but in the package, except as herein,

nor under a package,

or package at any time, and in such manner and form as the same was or shall have been discharged at the custom house, under the penalty of ten pounds for every such offence.

and as discharged, penalty 10*l*.

L. Provided always, that if it shall happen, that such tobacco shall receive any damage after having been discharged by the proper officer, whereby it shall be absolutely necessary to unpack and alter the package thereof, that then and in such case the importer, or other person (in whose custody such tobacco so damaged shall remain, after the same hath been discharged at the custom house) shall within twelve hours, before he or she shall unpack any part of the said tobacco, give notice in writing to the surveyor, gauger, or other officer of the walk, or cause the same to be left at the usual place of residence of such officer, signifying his or her intention to unpack the said tobacco, and to separate the damaged from the sound tobacco, or to cure the same, and that thereupon such officer do and shall upon pain of being dismissed from his employment for any neglect in so doing attend at the hour or time and place appointed for the unpacking the said tobacco, such hour to be between the hours of ten o'clock in the forenoon and of three o'clock in the afternoon; and that the importer or other person, in whose custody such tobacco shall then remain, or to whom the same shall belong, shall make oath, that he or she verily believes, it is necessary for the curing of the tobacco so damaged, and for the preservation of the remainder thereof, to unpack the same, (which oath the said officer is hereby impowered to administer) and upon said person's making such oath as aforesaid the said officer shall compare the package or packages to be unpacked with the aforesaid certificate thereof in such persons possession; and if the said packages agree with the said certificate, that then the said officers shall attend the unpacking them, and after the same shall be unpacked, and the damaged tobacco severed from the sound tobacco, the sound part shall be in the presence of such officer immediately weighed and repacked in close packages, cask or bag, not less than four hundred and twenty five pounds weight each, if the entire quantity so to be repacked shall amount to so much, and the same shall not be again unpacked but on the like necessity, or for manufacturing the same, as is or shall be herein after directed: and that if such damaged tobacco be intended to be cured, that then and in such case the same shall be weighed every second day until repacked in manner aforesaid, provided the entire quantity shall amount to four hundred and twenty five pounds weight, and if under that weight the same shall be packed

If damaged after discharge, notice to officer of intention to unpack and separate 12 hours before,

officer on pain of dismission shall attend at time and place appointed, between 10 and 3,

oath of the necessity by importer, or person in whose custody, or owner,

packages compared with certificate,

if agreeing, officer shall attend,

when severed immediately in his presence weighed and repacked close, not under 425*lb*. each,

not unpacked but on like necessity or manufacturing,

If to be cured, weighed every second day, 'till repacked,

A. D. 1779-80. Chap. 12.

packed in one ſeparate pack or caſk; and ſuch importer of the ſaid tobacco, or perſon in whoſe cuſtody the ſame ſhall remain, ſhall on demand of ſuch officer as aforeſaid weigh or cauſe to be weighed, and pack or cauſe to be packed, the ſaid tobacco in manner aforeſaid, and ſhall not unpack in any one day more of the ſaid tobacco, than can be repacked on the ſame day; and that ſuch officer ſhall put ſuch mark and number on the package ſo repacked, as he ſhall think fit for diſtinguiſhing the ſame, by which marks and number the ſame ſhall be ſold, and certified for by ſuch importer, or other perſon in whoſe cuſtody the ſaid tobacco ſhall remain; and that the ſaid officer ſhall on ſuch perſon's certificate of his ſtock endorſe or enter the alteration of package, and particularly deſcribe the ſame, with the new marks and numbers impoſed thereon, and ſhall enter the alterations ſo made in the ſaid officer's book in the preſence of ſuch importer, or ſuch other perſon in whoſe cuſtody the ſaid tobacco ſhall then be, or of ſuch perſon who ſhall attend on behalf of them, or either of them.

no more unpacked in 1 day than can be repacked on the ſame,

marked and numbered by officer,

ſold and certified for thereby,

on certificate of ſtock, the alteration entered,

deſcribed with the new marks in importers preſence.

LI. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of Auguſt every perſon not being a wholeſale importer of tobacco, who ſhall ſell tobacco on his or her own account or on commiſſion, and every perſon retailing or manufacturing tobacco or ſnuff without a licence for ſo doing from the collector of exciſe of the diſtrict, where he or ſhe ſhall reſide, and which the ſaid collector is hereby impowered to grant, ſhall forfeit the ſum of ten pounds; which licence the ſaid collector ſhall without fee or reward deliver on demand to all and every perſon and perſons, who ſhall apply for the ſame.

Retailing without licence 10l.

granted by collector without fee to all who apply.

LII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of Auguſt any perſon or perſons, who ſhall ſell or expoſe to ſale any quantity of tobacco under four hundred and twenty five pounds in weight, ſhall be deemed and taken to be a retailer or retailers thereof; and that every perſon, not being a wholeſale importer of tobacco or under licence, in whoſe cuſtody there ſhall be found more than fifty ſix pounds weight of tobacco, or twenty eight pounds weight of ſnuff, ſhall forfeit the ſum of five pounds for every ſuch offence, together with ſuch tobacco or ſnuff ſo found in his or her cuſtody; which tobacco or ſnuff may be ſeized by any officer of the revenue.

Selling under 425lb. retailers,

if above 56lb. of tobacco, 28 of ſnuff, found, (unleſs wholeſale importer or under licence) forfeited, and 5l.

LIII. Provided always, and be it enacted by the authority aforeſaid, that any perſon or perſons, who ſhall keep in his, her, or

Keeping for ſale tobacco under

or their poſſeſſion at any one time a leſs quantity of tobacco than fifty ſix pounds, or of ſnuff than twenty eight pounds, for ſale, ſhall have and keep at or on his or her door or window, or other conſpicuous place of the houſe or ſhop, wherein the ſame ſhall be ſold, and fronting the ſtreet, road, or other publick paſſage, the words tobacco or ſnuff, as the caſe ſhall be, painted on a board of twelve inches ſquare, the letters of the ſaid words to be each one inch in length at leaſt, and painted of a black colour on a white ground alſo, when required by any officer of the revenue; and that every ſuch perſon or perſons as aforeſaid may ſell ſuch tobacco or ſnuff without any licence for that purpoſe previouſly had or obtained, and without being ſubject to any penalty or forfeiture for ſelling the ſame without ſuch licence: provided ſuch perſon or perſons ſo ſelling ſuch quantity of ſnuff or tobacco as aforeſaid ſhall obtain from the perſon, from whom he, ſhe, or they ſhall have received ſaid tobacco, ſuch certificate as the manufacturer or retailer is hereafter obliged to furniſh; which certificate ſuch perſon, ſo ſelling ſaid quantity of tobacco or ſnuff, ſhall produce to any officer of the revenue when required.

5 lb. ſnuff 28 lb. ſhall have the words conſpicuous in large letters,

and ſell without licence or penalty,

on producing retailer's certificate.

LIV. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of Auguſt every perſon not being an importer or retailer of tobacco, who ſhall buy or ſtore tobacco for himſelf or any other perſon, as often as he or ſhe ſhall receive any parcel or quantity of tobacco, ſhall obtain therewith a certificate from the perſon, from whom he or ſhe ſhall have bought or received the ſame; which certificate ſhall contain the perſons names, who ſold or delivered the ſame, and the name of the perſon to whom ſuch tobacco was laſt ſold and delivered, together with the marks and numbers of the outward bulks and particular net weight, and the date of the certificate, which the ſeller received with the ſame either from the ſurveyor or land waiter who diſcharged ſuch tobacco as aforeſaid, or from the perſon from whom he purchaſed the ſame; and if the ſaid quantity or parcel of tobacco ſhall have been laſt purchaſed or received from an importer, that then and in ſuch caſe the time when the duty was paid, as alſo the ſhip's name in which the ſame was imported, together with the numbers of the collector's warrants for the payment of the duty, ſhall be inſerted in ſuch certificate; and the perſon, who ſo laſt received the ſame tobacco, ſhall on the next viſit made by any officer of exciſe after ſuch perſons having received the ſame, upon demand of ſuch officer give a true account of all the tobacco ſo by ſuch perſon received, and from whom the ſame was received, and ſhall produce the

Buying or ſtoring tobacco, not importer or retailer, certificate obtained therewith, and produced on officer's next viſit, and true account given of all ſo received, and from whom,

A. D. 1779-80. Chap. 12.

certificate or certificates, which he or ſhe had ſo received therewith as aforeſaid; and for every ſuch omiſſion or neglect the perſon ſo offending ſhall forfeit the ſum of five pounds.

penalty, 5l.

All ſtock then on hand ſhewn to officer, and declared,

LV. And be it further enacted by the authority aforeſaid, that every ſuch perſon, not being an importer or retailer of tobacco, and buying or ſtoring tobacco for himſelf, or any other perſon as aforeſaid, ſhall at the requeſt of any officer of exciſe as aforeſaid ſhew or cauſe to be ſhewn to him the ſaid tobacco, and any and all other tobacco that he or ſhe may then have on hand, and declare that what he or ſhe ſhall then ſhew or cauſe to be ſhewn is all the ſtock of tobacco, which he or ſhe ſhall then have; and if ſuch perſon ſhall have ſold and delivered the whole or any part of the tobacco mentioned in the certificate, which he or ſhe received therewith as aforeſaid, and ſhall not have brought the ſame to his or her houſe, cellar, or ſtore, then and in ſuch caſe ſuch perſon ſhall in his or her own hand writing, or by the hand of his or her clerk, for whom ſuch perſon ſhall be reſponſible, endorſe on ſuch certificate the quantity ſo ſold or delivered, and to whom, as alſo the numbers and net weight of the parcel ſo ſold or delivered, that ſuch perſon may not receive credit in his or her ſtock on hand for more, than he or ſhe ſhall actually bring to his or her houſe, cellar, or ſtore, and ſhall then deliver the ſaid certificate to the officer of exciſe, who ſhall give the ſaid perſon a true and fair copy thereof ſigned by him without alteration or eraſement; and as often as any officer of the revenue ſhall viſit ſuch perſon's houſe or ſtores, ſuch perſon at the requeſt of ſuch officer, ſhall declare, whether any and what part of ſaid ſtock of tobacco was ſold or delivered ſince the laſt inſpection thereof by the revenue officer; and in that caſe ſuch perſon ſhall declare to the ſaid officer, out of what parcel the ſame was taken, together with the numbers thereof, and to whom delivered, and ſhall produce to the ſaid officer the copy of the certificate for ſuch parcel, in order that the quantity ſo delivered may be indorſed thereon, or in default or refuſal thereof ſhall forfeit the ſum of five pounds.

if any in certificate received therewith ſold, & not ſtored, indorſed on certificate, and to whom, numbers and net weight,

certificate delivered to officer, who ſhall ſign and give fair copy,

on viſiting ſtore any ſold or delivered ſince laſt inſpection declared,

out of what parcel, number, and to whom,

and produce ſaid copy that it may be indorſed,

penalty, 5l.

Certificate given with any of the ſtock delivered, ſpecifying particularly,

LVI. And be it further enacted by the authority aforeſaid, that every ſuch perſon, not being an importer or retailer of tobacco, and ſo buying or ſtoring tobacco for himſelf or for any other perſon as aforeſaid, ſhall upon delivery of any of his or her ſtock of tobacco to any perſon whatſoever at the ſame time give therewith a certificate ſigned by him or her, or ſome perſon for whom he or ſhe ſhall be reſponſible, which certificate ſhall contain the name of the perſon, to whom and by whom delivered,

and

and ſhall ſpecify the package, marks, and numbers, net weight, and out of what parcel of ſtock the ſame was taken, and alſo the dates of the certificates by which the ſame was received, and the numbers of the packages, and the quantity of tobacco originally mentioned in ſuch certificates; and that ſuch perſon ſhall not unpack his or her ſtock of tobacco, or any part thereof, in order to ſtore the ſame looſe, or in other different packages, but ſhall keep, ſell, or diſpoſe of ſuch tobacco, in the ſame packages, in which ſuch perſons ſhall have received the ſame, ſave and except in caſe of ſuch tobacco being damaged as herein before mentioned; and every perſon offending herein ſhall for every ſuch offence forfeit the ſum of five pounds.

not unpacked,

ſold in ſame packages, as received, except damaged,

penalty, 5l.

LVII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of Auguſt one thouſand ſeven hundred and eighty every manufacturer of tobacco and ſnuff ſhall within the ſpace of ſixty one days, to commence from the ſaid twenty fourth day of Auguſt one thouſand ſeven hundred and eighty, make, erect, preſerve, and keep, or cauſe to be made, erected, preſerved, and kept, a frame or frames, box or boxes, cloſe boarded or railed, of ſuch dimenſions as ſhall beſt ſuit ſuch manufacturer's convenience, for the purpoſe of laying his or her tobacco in caſe therein, and ſhall place or fix the ſame in a convenient manner, ſo that any officer or officer's of exciſe may at all times eaſily inſpect ſuch frame or frames, box or boxes, and take the dimenſions thereof; and ſuch manufacturers, ſo often as they ſhall lay any tobacco in caſe, ſhall lay the ſame in caſe in ſuch frame or frames, box or boxes, as aforeſaid or in default thereof every perſon ſo offending ſhall for every ſuch offence forfeit the ſum of five pounds.

Frames made cloſe & preſerved for laying tobacco in caſe,

fixed convenient for officer to inſpect and take dimenſions,

penalty, 5l.

LVIII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of Auguſt one thouſand ſeven hundred and eighty every manufacturer and retailer of tobacco and ſnuff ſhall with every parcel of tobacco, that he or ſhe ſhall bring or receive into his or her houſe, cellar, ſtore, or other place, obtain therewith a certificate from the perſon, from whom he or ſhe ſhall have received ſuch tobacco, which certificate ſhall contain the perſon's name, who laſt ſold or delivered the ſame, and the name of the perſon to whom ſuch tobacco was laſt ſold and delivered, together with the marks and numbers of the outward bulks and particular net weight, and the date of the certificate which the ſeller received with the ſame; and if the ſaid quantity or parcel of tobacco ſhall have been laſt purchaſed or received from an importer, then and in ſuch caſe ſaid

Retailer with every parcel received ſhall obtain certificate, containing name of laſt ſeller, &c.

said certificate shall contain the time, when the duty thereof was paid, and also the ship's name in which the same was imported, together with the number of the collector's warrant or warrants for the payment of the duty thereof; and such manufacturer or retailer on the next visit, made by the officer after his or her receiving the same, shall upon demand of such officer give a full and true account of all the tobacco so by such manufacturer or retailer received, and from whom the same was received, and shall produce the certificate or certificates, which he or she had received therewith from the person, from whom he or she received such tobacco as aforesaid; and for every such omission or neglect the person so offending shall forfeit the sum of five pounds; and such manufacturer or retailer shall not on any pretence whatsoever alter or deface the marks, number, or weight in said certificate, or on the said outward bulks containing the said tobacco, under the penalty of five pounds for every such offence: and that if such manufacturer or retailer, so receiving any such parcel of tobacco as aforesaid, shall sell or deliver the same, or any part thereof, to any person or persons whatsoever, and shall not bring the whole to his or her house, cellar, store, or other place, he or she shall with his or her own hand, or by the hand of some person for whom he or she shall be responsible, endorse on the said certificate the quantity so sold or delivered, that such manufacturer or retailer may not receive credit in his or her stock on hand for more tobacco, than he or she shall have actually brought to his or her house, cellar, or stock; and such officer shall take the said certificate into his custody, and give a fair copy thereof without alteration or erasement, signed by him, to such manufacturer or retailer.

produced on officer's next visit;

and true account of all tobacco received, and from whom;

penalty, 5*l.*

to alter or deface marks, number, or weight, 5*l.*

if any sold, indorsed on certificate,

not credited for more than actually brought,

certificate taken by officer, and fair copy given,

LIX. And be it further enacted by the authority aforesaid, that from and after the time aforesaid every such manufacturer or retailer of tobacco shall with every quantity of manufactured or unmanufactured tobacco, and every quantity of snuff, he or she shall sell or deliver, exceeding four pound weight, give a certificate therewith; which certificate shall contain the name of the person, to whom said tobacco and snuff shall be sold and delivered, with the quantity, quality, and species thereof, whether manufactured or unmanufactured, snuff, roll, cane or pigtail, cut or stalk tobacco, and the name of the person who delivered the same; and the person who shall receive such tobacco or snuff from the said manufacturer or retailer, shall, on demand made by any officer of the revenue, produce the certificate received therewith, which such officer shall take into his custody, and

Certificate given with tobacco sold, manufactured or not,

produced to officer, and copy given.

give

give a fair copy thereof without alteration or eraſement, ſigned by him, to the perſon ſo receiving the ſaid tobacco or ſnuff as aforeſaid.

Not unpacked to ſtore in different package, or looſe, or than for immediate manufacture or ſale,

LX. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of Auguſt one thouſand ſeven hundred and eighty no ſuch manufacturer or retailer ſhall unpack any part of his or her ſtock of unmanufactured tobacco in order to ſtore the ſame in any other or different package, or looſe, or for any purpoſe other than for immediate manufacture, or delivery on ſale, except in caſe of damage in manner herein mentioned; nor ſhall ſuch retailer or manufacturer, or any perſon on his or her behalf, unpack any tobacco for manufacture without firſt acquainting the ſurveyor or other officer of exciſe therewith by notice in writing to be left at the houſe or uſual place of reſidence of ſuch officer the day before he or ſhe ſhall unpack the ſame; and on the ſaid ſurveyor's or other officer's viſit ſuch manufacturer or retailer, or ſome perſon on his or her behalf, ſhall ſhew ſuch officer, out of what caſk or pack of tobacco in his or her ſtock he or ſhe intends to take the ſame; and as ſoon as ſuch tobacco ſhall be unpacked, and the bands thereof unbound, and the whole ſhall be in looſe leaf, ſuch manufacturer, or ſome perſon on his or her behalf, ſhall weigh the ſame in the preſence of the ſaid officer, and ſpecify the quantity of ſuch tobacco to be put in caſe, and the quantity for cane, pigtail, and cut; ſaid different parcels to be weighed ſeparately before any part thereof ſhall be wet or put in caſe, or ſhall be ſtripped from the ſtalk or ſpun, or in default thereof ſuch manufacturer ſhall forfeit the ſum of five pounds for every ſuch offence; and it ſhall not be lawful for ſuch manufacturer or retailer to take any tobacco for the purpoſes aforeſaid, or any of them, out of any caſk or pack, other than the caſk or pack ſo ſhewn and declared as aforeſaid, nor to take more tobacco thereout than what he or ſhe ſhall ſo wet, put in caſe, or manufacture as aforeſaid, under the like penalty of five pounds, to be alſo forfeited by ſuch manufacturer or retailer as aforeſaid for every ſuch offence.

unleſs damaged,

nor without notice in writing to officer the day before,

on officer's viſit the pack, out of which to be taken ſhewn,

when unpacked. weighed in officer's preſence,

quantities of different ſort ſpecified,

parcels weighed ſeparate, before wet, caſed, &c.

penalty, 5l.

taken only out of pack ſhewn,

not more than ſo wet, caſed, or manufactured,

penalty, 5l.

Caſed by day, in 3 days after unpacked, put in ſuch frames in officer's preſence, immediately after weighing, laid level and cloſe,

LXI. And be it further enacted by the authority aforeſaid, that all tobacco ſo to be put in caſe as aforeſaid ſhall be put therein in the day time, within the ſpace of three days after the ſame ſhall be unpacked, and ſhall be put therein in ſuch frame or frames box or boxes as aforeſaid in the preſence of ſaid officer immediately after weighing the ſame, and the ſaid tobacco ſhall be laid level and packed cloſe in ſuch box or boxes, frame

A. D. 1779-80. Chap. 12.

or frames; and after the ſame ſhall be ſo done, the officer ſhall enter in his book the depth of the tobacco ſo put in caſe; and ſuch manufacturer or retailer ſhall not upon any pretence whatever add any more thereto, or take out and repack the ſame or any part thereof, except in the preſence of the ſaid officer, who ſhall take an account thereof in manner aforeſaid; and ſuch manufacturer or retailer ſhall on each and every of his or her packages or rolls of tobacco, both in and out of preſs, affix to and keep, as long as the ſame ſhall remain in his or her cuſtody, a ticket in view, whereon ſhall be legibly written in words in length on the outſide of ſuch ticket the number of pounds contained in ſuch package or roll; and ſuch manufacturer or retailer ſhall ſhew to the aforeſaid officer or officers of exciſe on demand all his or her ſtock of tobacco, and every the frames, boxes, or preſſes uſed by him or her in manufacturing the ſame, and ſhall furniſh the ſaid officer or officers with ſufficient light in all the cellars and other places of ſuch manufacturer or retailer where the ſame may be required, and ſhall upon like requeſt or demand weigh any part or parcel of his or her ſtock of tobacco, except the tobacco in caſe, and ſhall declare the ſtock of tobacco ſo ſhewn to be the entire ſtock then on hand of ſuch manufacturer or retailer, under the penalty of five pounds to be forfeited by him or her for every ſuch neglect or refuſal.

the depth entered, not added to, or taken out and repacked, except in officer's preſence, ticket affixed to each roll, and kept in view, with number of pounds at length on outſide, all ſtock ſhewn on demand, frames and preſſes, light furniſhed, any part weighed, except in caſe. ſtock ſhewn declared the entire, penalty, 5l.

LXII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of Auguſt one thouſand ſeven hundred and eighty every ſuch manufacturer of tobacco ſhall, upon every computation to be made between unmanufactured leaf tobacco and maufactured roll tobacco of any kind, except cane tobacco, be allowed a reaſonable encreaſe of weight in manufacture, not exceeding thirty pounds weight for every hundred weight; and every importer, factor, manufacturer, retailer, or other perſon who ſhall have any quantity of looſe unmanufactured tobacco, or tobacco in ſmall package on hand, ſhall within one month after the ſaid twenty fourth day of Auguſt pack up all ſuch tobacco in caſks or bags, containing at leaſt four hundred and twenty five pounds weight each; and if ſuch quantity of tobacco ſhall not amount to ſuch weight, then ſuch quantity ſhall be packed in a caſk or bag, and the revenue officer ſhall on his firſt viſit next after the expiration of the ſaid month mark and number ſuch packages with ſuch marks and numbers, whereby he ſhall think proper to deſcribe the ſame, with ſuch marks and numbers the ſame ſhall be delivered without

Increaſe of weight in manufacture allowed (except cane)

not above 30lb. every 100lb.

looſe unmanufactured, or in ſmall packages in 1 month after 24 Auguſt packed in caſks 425 lb. each,

marked and numbered next viſit,

out being unpacked or altered, if not opened by a manufacturer or retailer in manner aforeſaid, for the purpoſe of ſale or manufacturing the ſame, or in caſe of damage as aforeſaid.

delivered unaltered ſave for purpoſe aforeſaid.

LXIII. And be it further enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of Auguſt one thouſand ſeven hundred and eighty if any importer, factor, manufacturer, retailer, or other perſon buying, ſelling, ſtoring, or manufacturing tobacco, ſhall by him or herſelf, or any perſon employed by him or her, make a fictitious or falſe return of his or her ſtock of tobacco, or make a falſe declaration thereof, ſuch perſon ſhall forfeit for every ſuch offence the ſum of twenty pounds.

Falſe return of ſtock or declaration, 20l.

LXIV. And be it enacted by the authority aforeſaid, that from and after the ſaid twenty fourth day of Auguſt that all tobacco in packages, containing leſs than four hundred and twenty five pounds each, which ſhall be legally condemned upon ſeizure, ſhall be opened and packed in packages containing not leſs than four hundred and twenty five pounds each, which ſaid packs or packages ſhall be marked with ſuch mark, as the commiſſioners or ſubcommiſſioners of exciſe ſhall direct and appoint, progreſſively beginning with No. 1: And as it may happen, that different ſeizures of ſmall quantities of tobacco may be made by different officers, that then and in ſuch caſe ſuch ſeizures ſhall be weighed ſeparately, and afterwards packed together in packages of four hundred and twenty five pounds each, in manner aforeſaid, and the ſame ſhall be ſold by publick cant, in like manner as tobacco condemned on ſeizures have been uſually ſold, and the ſeizing officers of ſuch ſmall parcels ſo packed together, ſhall be paid ſeverally and reſpectively in proportion to the quantities ſeized by them reſpectively: and every perſon, who ſhall buy ſuch tobacco, or any part thereof, at any ſuch ſale or ſales as aforeſaid, ſhall, before ſuch perſon ſhall take the ſame into his or her cuſtody, receive a certificate for the ſame from the regiſter of ſeizures or ſurveyor of the ſtores, or other proper officers, who ſhall grant the ſame on demand without fee or reward, which certificate ſhall contain the marks and numbers, net weight, with the buyer's name, and the day on which the ſaid tobacco ſhall be ſold; which certificate and tobacco ſhall be ſubject and liable to ſuch regulations and proviſions as in caſes of tobacco bought from an importer, factor, or other perſon dealing therein as aforeſaid.

Packages under 425 lb. legally condemned, opened and packed not under 425lb. each, and marked,

different ſeizures in ſmall quantities weighed ſeparate, packed in 425lb. each,

ſold as uſual,

officers paid in proportion,

buyer on ſuch ſale ſhall receive certificate gratis,

ſubject to regulations as if bought from importer, factor, or dealer.

LXV. And to prevent unneceſſary delays being given to the officers in the execution of their duty in and about the ſeveral matters

Weighed in ſeparate parcels of diſtinct ſpecies

A. D. 1779-80. Chap. 12.

matters aforeſaid, it is hereby directed, that all tobacco, that ſhall be weighed upon the officers demand as aforeſaid, except tobacco in caſe as aforeſaid, ſhall be weighed in ſeparate parcels each of a diſtinct or ſeparate ſpecies or denomination, containing not leſs than four hundred and twenty five pounds in each draught; and that all packages of tobacco exceeding that weight ſhall be weighed without breaking or dividing the ſame; and every perſon or perſons, in whoſe poſſeſſion ſuch tobacco ſhall be found, ſhall furniſh proper ſcales and weights; and if ſuch perſon or perſons ſhall in weighing his, her, or their ſtock uſe or cauſe to be uſed any untrue or inſufficient ſcales or weight, every ſuch perſon ſhall for every ſuch offence forfeit ſuch ſcales and weights together with the ſum of ten pounds.

not under 425lb. each draft.

all above without dividing,

proper ſcales and weights furniſhed,

if untrue, or inſufficient, forfeited with 10l.

LXVI. And be it further enacted by the authority aforeſaid, that if any perſon or perſons whatſoever ſhall at any time from and after the ſaid twenty fourth day of Auguſt falſely make, forge, counterfeit, eraſe, or alter, or procure to be falſely made, forged, counterfeited, eraſed, or altered, or knowingly act or aſſiſt in the falſe making, forging, counterfeiting, eraſing or altering any certificate or certificates herein before mentioned, or ſhall knowingly utter or publiſh as true any falſe, forged, counterfeited, eraſed, or altered certificate or certificates as aforeſaid, ſuch perſon or perſons, being thereof lawfully convicted according to the due courſe of law ſhall be fined or impriſoned at the diſcretion of the judge, before whom ſuch perſon ſhall be tried; provided that ſuch fine ſhall not exceed the ſum of one hundred pounds, and that ſuch impriſonment ſhall not exceed the term of ſix months.

To forge, eraſe, or alter certificate, procure or aſſiſt, utter or publiſh as true,

fined not above 100l.

or impriſoned not above 6 months.

LXVII. Provided always, and be it enacted by the authority aforeſaid, that in caſe the perſon or perſons, whoſe name or names ſhall have been forged or counterfeited to any ſuch certificate or certificates, ſhall proſecute to conviction the perſon or perſons ſo falſely making, forging, counterfeiting, eraſing, or altering, or aiding or aſſiſting therein, or uttering or publiſhing any ſuch certificate or certificates as aforeſaid, the tobacco mentioned in ſuch forged certificate ſhall not be brought as a charge againſt the perſon or perſons, whoſe name or names ſhall have been forged or counterfeited thereto, and who ſhall ſo proſecute as aforeſaid.

Perſons, whoſe names forged, proſecuting to conviction, the tobacco in certificate not brought as a charge.

LXVIII. Whereas ſeveral frauds have been committed in the trade and employment of making playing cards, whereby not only the payment of the duties, to which playing cards are ſubject, is evaded, but the fair trader materially prejudiced: for remedy whereof be it enacted by the authority aforeſaid, that from and after the twenty fourth day of Auguſt one thouſand ſeven hundred and

3 commiſſioners may grant licences to make cards, not exceeding 3 years,

and eighty it ſhall and may be lawful to and for the chief commiſſioners of his Majeſty's revenue, or any three of them, to iſſue and grant a licence or licences to ſuch perſon or perſons, as they ſhall think proper, for the making of playing, blank, and meſſage cards for any term not exceeding three years from the time of granting ſuch licence or licences; and if any perſon or perſons ſhall after the firſt day of Auguſt one thouſand ſeven hundred and eighty exerciſe or carry on the trade or employment of making any playing, blank, or meſſage cards, without ſuch licence or licences firſt had and obtained, the perſon or perſons ſo offending ſhall for every ſuch offence forfeit the ſum of one hundred pounds, together with all ſuch cards, and all ſuch materials and implements uſed in the making of cards, as ſhall be found in his, her, or their poſſeſſion; all which cards, materials, and implements ſhall and may be ſeized, carried away, and lodged in the next exciſe office by ſuch revenue officer or officers, as ſhall diſcover and find the ſame.

made without licence, forfeited with the materials and tool.

ſeiſed by officer, and lodged in next exciſe office.

LXIX. And be it further enacted by the authority aforeſaid, that from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty it ſhall and may be lawful to and for the chief commiſſioners of his Majeſty's revenue, or any three of them, in the port and diſtrict of Dublin, and to and for the collectors of the ports of Cork and Limerick reſpectively, from time to time to take recognizances from the perſon or perſons applying for ſuch licence or licences with one or more ſufficient ſurety or ſureties in the ſum of two hundred pounds; the condition of ſuch recognizances ſhall be, that the parties ſo licenſed, their executors or adminiſtrators, ſhall anſwer and pay to his Majeſty all ſuch duties, as ſuch perſon or perſons ſhall be liable to on account of making any playing, blank, or meſſage cards during the time ſuch perſon or perſons ſhall carry on the buſineſs of a cardmaker under ſuch licence.

3 commiſſioners for *Dublin*, collectors for *Cork* and *Limerick* may take recogniſances on applying for licence with ſureties in 200l. conditioned to pay duties during the time.

LXX. Provided always, and be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid chief commiſſioners, or any three of them, upon default made in the payment of any ſuch duty or duties, as ſuch perſon or perſons ſo licenſed as aforeſaid ſhall or may be liable to, or upon conviction before the commiſſioners or ſubcommiſſioners of exciſe, for any fraud or offence, the penalty or forfeiture for which ſhall amount to ten pounds, from time to time during the term for which ſuch licence or licences ſhall have been granted by notice or inſtrument in writing ſubſcribed by them, or any three of them, to revoke, withdraw, and utterly make void any ſuch

On non-payment of duty, or conviction 10l. licence revoked on notice by 3 commiſſioners.

A. D. 1779-80. Chap. 12.

licence or licences by them granted to ſuch perſon or perſons ſo making default or convicted as aforeſaid; and if ſuch perſon or perſons after ſuch revocation ſhall continue to exerciſe the trade or carry on the buſineſs of card making, he, ſhe, or they ſhall be ſubject to ſuch penalties and forfeitures, as if ſuch licence or licences had never been granted to them reſpectively.

if after continued, ſubject as if no licence granted.

Card-makers, &c. ſhall on requeſt ſhew officer ſtock on hand, and all materials,

LXXI. And whereas great frauds are now practiſed by card-makers concealing their ſtock of cards on hand from the view of the officers appointed to ſearch and take an account thereof, and by conveying or diſpoſing of large quantities of cards without any ſtamp thereon, and without entry or payment of duties: for remedy whereof be it enacted by the authority aforeſaid, that from and after the firſt day of Auguſt one thouſand ſeven hundred eighty every cardmaker, who ſhall make any cards, his foreman, head ſervant, or the perſon employed to attend the ſaid buſineſs, from time to time, and as often as ſuch cardmaker ſhall be required by the officer or officers appointed to view and take an account of the ſame, ſhall ſhew to ſuch officer or officers all the ſtock then on hand of cards, and all the materials for making the ſame belonging to ſuch cardmaker or cardmakers, under the penalty of ten pounds in caſe of refuſal to be forfeited by ſuch cardmaker and cardmakers, and of five pounds to be forfeited by the foreman, head ſervant, or other perſon employed ſo refuſing as aforeſaid; and that in default of payment of ſaid ſum of five pounds ſuch foreman, head ſervant, or other perſon ſo employed, ſhall ſuffer one month's impriſonment; and that in caſe ſuch officer or officers ſhall afterwards find any cards or materials for making cards of the ſtock then on hand over and above the quantity ſo ſhewn as aforeſaid, ſuch cards and materials ſhall be forfeited; and it ſhall and may be lawful for ſuch officer or officers to ſeize and carry the ſame away; and ſuch cardmaker or cardmakers ſhall reſpectively forfeit a ſum at the rate of twenty pounds for every twelve dozen packs of cards, and a ſum at the rate of twenty pounds for every twelve dozen ſheets of paper materials for cardmaking, which ſhall be ſo found over and above the quantity that ſhall have been ſhewn as aforeſaid.

penalty 10l.

5l. on foreman, &c. or 1 month's impriſonment,

cards and materials found over ſeiſed,

and 20l. every 12 dozen packs, and ſheets.

3 commiſſioners may direct officers to take account of ſtock found,

LXXII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid commiſſioners for the time being, or any three of them, to direct and appoint ſuch officer or officers of exciſe, as they ſhall think proper, to keep an account of all cards and materials for making cards, which ſhall from time to time be found by him or them

in

in the hands or poſſeſſion of any cardmaker or cardmakers; and upon any decreaſe or deficiency of ſuch ſtock of cards and materials, not properly accounted for, to charge ſuch cardmaker or cardmakers with all duties payable for ſuch cards not accounted for, and alſo with the amount of the duties on ſo many cards as might be made from or with ſuch materials not accounted for as aforeſaid; the ſaid duties to be paid by ſuch cardmaker or cardmakers, upon oath made by ſuch officer or officers as aforeſaid before the collectors of the ports of Dublin, Cork, and Limerick reſpectively, aſcertaining the quantity ſo deficient and brought to charge (which oath the ſaid collectors are hereby reſpectively impowered to adminiſter.)

and on decreaſe not accounted for to charge duties, and on ſo many as might be made from ſuch materials, paid on officer's oath before collectors of ſaid ports, aſcertaining ſaid deficiency.

LXXIII. And be it further enacted by the authority aforeſaid, that if any ſuch collector or ſtamp maſter of cards, after proof made of ſuch deficiency as aforeſaid, ſhall allow any entry to be made by or ſhall ſtamp any cards of or belonging to ſuch cardmaker or cardmakers, before he, ſhe, or they ſhall have anſwered or paid all charges made on account of ſuch decreaſe or deficiency, that then and in every ſuch caſe the ſaid collector or ſtamp maſter ſhall reſpectively forfeit the ſum of twenty pounds, to be ſued for, recovered, and applied in ſuch manner as herein after is mentioned, any thing herein or in any former act contained to the contrary notwithſtanding.

Collector or ſtamp maſter, allowing entry or ſtamping before payment on ſuch decreaſe forfeit 20l.

LXXIV. And be it further enacted by the authority aforeſaid, that from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty as often as any cardmaker or cardmakers ſhall make up cards intended for exportation, he, ſhe, or they ſhall, within one hour after the ſame are made up, give notice thereof to the ſtamp maſter of the place, where ſuch cards ſhall be made up, and ſhall in the preſence of the ſaid ſtamp maſter depoſite ſuch cards in ſome of his Majeſty's ſtorehouſes at the place, where ſuch cards ſhall be made up; the ſaid cards there to remain until a certificate from the collector of the port ſhall be produced to the ſaid ſtamp maſter; which certificate ſhall expreſs or import, that all the legal requiſites relative to ſuch cards have been performed.

Notice in 1 hour after cards made up for export to the ſtamp-maſter, and depoſited in K's ſtores, till collector's certificate.

LXXV. And be it further enacted by the authority aforeſaid, that if ſuch cardmaker or cardmakers, ſhall at any time remove ſuch cards ſo depoſited as aforeſaid, or ſhall ſuffer the ſame to be removed, without the permiſſion of the ſtore keeper or ſurveyor of his Majeſty's ſtores firſt had and obtained, he, ſhe, or they ſhall thereby forfeit a ſum of fifty pounds.

Removing cards ſo depoſited without permiſſion, 50l.

LXXVI. And

Found unſtamped, ſeiſed,

LXXVI. And whereas cardmakers in order to evade the payment of the duties, to which playing cards are ſubject, do keep them without ſtamps, under pretence that they are intended for exportation, and afterwards ſell them though not marked or ſtamped as by law required: for remedy whereof be it enacted by the authority aforeſaid, that from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty if any pack or packs of playing cards ſhall be found in the houſe, ſhop, room, or place of any cardmaker, ſhopkeeper, or retailer of cards, without being marked, ſealed, or ſtamped, as by law is required, the ſame ſhall be adjudged forfeited, and may be ſeized and carried away by any officer of his Majeſty's revenue; and the cardmaker, ſhopkeeper, or retailer of cards, in whoſe poſſeſſion ſuch pack or packs of cards ſhall be found, ſhall forfeit the ſum of twenty pounds, one moiety to his Majeſty, and the other to the ſeizing officer, to be ſued for and applied as herein after is directed.

and 20l. to the king and the officer.

Unſtamped parcels in covers, expoſed to ſale or in ſhops, deemed a whole pack, and retailer ſubject to penalties.

LXXVII. And whereas cardmakers, ſhopkeepers, and retailers of cards in order to evade the law keep one or more card or cards from and out of each pack, and then alledge, that they are waſte cards, and not within the deſcription and penalties of the ſeveral acts relative to packs of playing cards: for remedy whereof be it further enacted by the authority aforeſaid, that from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty every unſtamped parcel of painted, ſpotted, or playing cards, incloſed in paper covers, which ſhall be expoſed to ſale by or found in the ſhop of any ſhopkeeper or retailer of cards, ſhall to all intents and purpoſes be conſtrued and taken to be a whole pack of playing cards within the true intent and meaning of this act, and ſhall ſubject ſuch ſhopkeeper and retailer of cards to all the ſeveral penalties and forfeitures inflicted and impoſed by this or any other law whatſoever for ſelling, expoſing to ſale, or keeping painted, ſpotted, or playing cards, not ſealed, ſtamped, or marked, or made up, purſuant to this or any of the laws now in force in this kingdom.

On forfeiture by this or former law, officer may ſeiſe and lodge in next exciſe office 'till diſpoſed by law.

LXXVIII. And be it further enacted by the authority aforeſaid, that in all caſes where a forfeiture of painted, ſpotted, or playing cards, or of utenſils or materials for making cards, ſhall be incurred by virtue of this or any former law, it ſhall and may be lawful to and for the officer or officers of his Majeſty's revenue, who ſhall detect the fraud or offence, for which ſuch cards, utenſils, or materials ſhall become forfeited, to ſeize, attach, and carry away all ſuch cards, utenſils, and materials for making

cards, and the ſame to lodge in the exciſe office neareſt to the place of ſeizure, there to be detained and kept until diſpoſed of by due courſe of law.

25 G. 2. c. 10. ſ. 17. ineffectual.

LXXIX. And whereas by an act made in the twenty fifth year of the reign of his late Majeſty king George the ſecond, intituled, *An act for amending an act for the encouragement of tillage, and better employment of the poor, and alſo for other purpoſes therein mentioned*, it is among other things enacted, that if any perſon ſhould thereafter ſell or expoſe to ſale any playing cards, which had before been ſold, opened, or played with, every perſon ſo offending ſhould forfeit forty ſhillings: and whereas the ſaid in part recited act has hitherto proved ineffectual: therefore be it further enacted by the authority aforeſaid, that ever * perſon, who ſhall hereafter be guilty of the ſaid offence, ſhall forfeit the ſum of ten pounds; to be ſued for, recovered, and applied in manner herein after mentioned, and that cards ſo ſold or expoſed to ſale ſhall be forfeited, and it ſhall and may be lawful for any officer of his Majeſty's revenue to ſeize and carry away the ſame.

Selling cards before ſold, opened or played with, penalty 10l.

the cards forfeited.

Above 2 packs found with retailer, deemed expoſed to ſale, and ſubject to forfeitures.

LXXX. And whereas ſhopkeepers and retailers of cards, in order to evade the penalties impoſed on perſons ſelling or expoſing to ſale unſtamped cards, by various contrivances conceal and keep in their poſſeſſion unſtamped cards intended by them for ſale: for remedy whereof and in order to remove all doubts thereupon be it declared and further enacted by the authority aforeſaid, that all cards exceeding in quantity two packs, which ſhall hereafter be found in any houſe, out office, ware houſe, or elſewhere, in the poſſeſſion of any ſhopkeeper, or retailer of cards, ſhall be deemed and conſidered as cards expoſed to ſale within the true intent and meaning of this act, and of every other act, whereby cardmakers, ſhopkeepers, and retailers of cards, are ſubject to forfeitures and penalties for ſelling or expoſing to ſale, painted, ſpotted, and playing cards, not ſtamped, marked, or made up, in manner and form as by the laws now in force in this kingdom is required.

Found with hawker, pedlar, &c. forfeited.

LXXXI. And whereas painted, ſpotted, and playing cards not ſtamped, marked, or made up according to law, or marked with forged ſtamps, are carried about for ſale, circulated and ſold in and throughout the kingdom, to the manifeſt prejudice of the fair trader and loſs to the revenue: for prevention whereof be it further enacted by the authority aforeſaid, that from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty all painted, ſpotted, and playing cards, which ſhall be found in the poſſeſſion of any hawker, pedlar, petty chapman, or other

A. D. 1779-80. Chap. 12.

trading perſon travelling from place to place, ſhall be forfeited; and it ſhall and may be lawful to and for any officer or officers of his Majeſty's revenue to ſeize and lodge ſuch cards in the next exciſe office, to be proceeded againſt and diſpoſed of in ſuch manner as herein after mentioned.

Cards with altered ſtamp ſold within 2 months after intention, advertiſed 3 days.

LXXXII. And whereas the power veſted in the ſaid commiſſioners to alter and change from time to time the ſtamps upon cards hath not ſufficiently anſwered the purpoſes intended: be it further enacted by the authority aforeſaid, that as often as the ſaid commiſſioners, or any three of them, ſhall think fit to alter, change, or renew the marks or ſtamps for cards, and the paper encloſing the ſame, or any of them, it ſhall and may be lawful for all perſons, who ſhall at ſuch reſpective times have in their cuſtody or poſſeſſion any cards and papers incloſing packs of cards marked with the ſtamp or ſtamps ſo intended to be altered, changed, or renewed at any time, within the ſpace of two months after ſuch intention of renewing, changing, or altering ſaid ſtamps or marks ſhall have been publiſhed in the Dublin Gazette for three ſucceſſive days of publication, to ſell or expoſe to ſale ſuch cards marked with the ſtamp or ſtamps ſo intended to be altered, changed, and renewed, and no longer.

Cards and papers incloſing with old ſtamps, brought in within 2 months, equal number with new ſtamps given duty free.

LXXXIII. Provided always, and be it enacted by the authority aforeſaid, that if any cards marked with the old ſtamps ſhall remain on hands and unſold, it ſhall and may be lawful to and for any cardmaker, ſhopkeeper, or retailer of cards, at any time within the ſaid two months to bring or ſend ſuch cards and papers incloſing packs of cards, marked with the old ſtamp, to the reſpective maſters, or to ſuch officer or officers as ſhall be appointed in that behalf by the ſaid commiſſioners, or any three of them, at their reſpective offices in the cities of Dublin, Cork, and Limerick; and the ſaid ſtamp maſters and officers reſpectively are hereby required to mark with the new ſtamps ſuch cards ſo brought in, and ſo many papers incloſing packs of cards as ſhall be equal in number to the papers ſo brought in, ſuch new ſtamps to be impreſſed, and given in lieu of the old, free and exempt from the payment of any duty or fee whatſoever for the ſame.

Found after 2 months with old ſtamps, forfeited, and ſeiſed,

LXXXIV. Provided alſo, that if after the ſaid two months any cards with the ſaid old ſtamps ſhall be found in the poſſeſſion of any cardmaker, ſhopkeeper, or retailer of cards, the ſame ſhall be forfeited; and it ſhall and may be lawful to and for any officer or officers of his Majeſty's revenue to ſeize and carry away the ſame, to be proceeded againſt and diſpoſed of in ſuch man-

ner as herein after mentioned; and the perſon or perſons, in whoſe poſſeſſion the ſame ſhall be found ſhall be liable and ſubject to all ſuch penalties and forfeitures, as he, ſhe, or they ſhould be liable to, if the ſaid cards or papers containing packs of cards never had been ſtamped.

penalties as if never ſtamped.

LXXXV. And be it further enacted by the authority aforeſaid, that from and after the paſſing of this act every cardmaker, inſtead of the oath mentioned in the ſaid recited act of the third of king George the ſecond, ſhall at the reſpective times, and before the reſpective perſons therein mentioned, make oath, or if a quaker, ſolemnly affirm, in the words following, to wit:

Cardmaker's oath inſtead of oath 3 G. 2. c. 3.

I A. B. *do ſwear, or if a quaker do affirm, that the number of packs of cards now entered by me is the full amount of the quantity of painted, ſpotted, and playing cards manufactured by me or for my uſe from the day of to the time of this my preſent entry, except packs made up by me for exportation, which are now lodged in his Majeſty's ſtores, or have been exported (as the caſe may be.)*

LXXXVI. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall wilfully, falſely, and corruptly take the ſaid oath or affirmation, and be thereof lawfully convicted by verdict, or upon his, her, or their confeſſion, he, ſhe, or they ſo offending ſhall for every ſuch offence incur and ſuffer ſuch penalties, forfeitures, pains, and diſabilities, as perſons convicted of wilful and corrupt perjury are by law liable unto; or if any perſon or perſons ſhall corruptly procure or ſuborn any other perſon to take the ſaid oath or affirmation, and the perſon or perſons ſo procuring or ſuborning ſhall be thereof convicted by verdict or upon his or their confeſſion, every perſon ſo offending ſhall for every ſuch offence incur and ſuffer ſuch penalties, forfeitures, pains, and diſabilities, as perſons convicted of perjury or of ſubornation of perjury are reſpectively by the laws of this kingdom liable unto.

Falſe ſwearing or ſubornation puniſhed as wilful perjury or ſubornation.

LXXXVII. And be it enacted by the authority aforeſaid, that from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty no cards ſhall be deemed waſte cards, unleſs every corner of each of ſuch cards be cut off, and unleſs the ſame be ſold in parcels, without being incloſed in any paper cover whatſoever; and if any cardmaker, ſhopkeeper, or retailer of cards, ſhall ſell or expoſe to ſale as waſte cards any cards incloſed in paper covers, or not cut in manner aforeſaid, he, ſhe,

No cards waſte, unleſs every corner cut off, and ſold in parcels not incloſed,

or

A. D. 1779-80. Chap. 12.

or they ſo offending ſhall be liable to all the penalties, and incur all the forfeitures inflicted and impoſed by this or any former law for ſelling or expoſing to ſale, painted, ſpotted, or playing cards without ſtamps.

penalties as for ſelling without ſtamps.

Commiſſioners to appoint one in *Limerick* to keep the marks, ſtamps, or ſeals,

LXXXVIII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the commiſſioners of his Majeſty's revenue, or any three or more of them, and they are hereby authorized and impowered, from time to time to appoint a fit and proper perſon in the port of Limerick, who ſhall have the cuſtody and keeping of the mark, ſtamp, or ſeal, marks, ſtamps, or ſeals, which have been or ſhall be appointed to be put on cards or papers incloſing packs of cards reſpectively, and ſhall from time put ſuch mark or ſtamp as by law required upon all dice, or ſuch mark or ſeal as by law required upon the paper and thread incloſing every pack of cards, and on the painted or ſpotted ſide of one of the cards of each pack, which ſhall be duly entered, and for which the duties impoſed by law ſhall be duly paid to the collector of the ſaid port; and the perſon, who ſhall be appointed to mark, ſtamp, and ſeal cards and dice reſpectively, purſuant to this act, ſhall have and receive, during his continuance in the ſaid office the yearly ſum of ten pounds, which ſaid yearly ſum ſhall be paid him quarterly by the collector of the ſaid port of Limerick out of the duties charged on cards and dice.

and to put on dice, or cover of every pack, and on one card of each,

ſalary 10l. paid quarterly.

News printer or publiſher in *Dublin*, ſhall on each day deliver 1 ſtamped impreſſion at ſtamp office,

LXXXIX. And whereas many printers and publiſhers of news papers by the ſale of unſtamped news papers defraud his Majeſty's revenue, and injure the fair trader: for prevention whereof be it enacted by the authority aforeſaid, that every printer or publiſher of a news paper, printed or publiſhed in the city or county of Dublin during the continuance of this act, ſhall on each day of publication thereof cauſe to be delivered to the regiſter of pamphlets at the ſtamp office in ſaid city one ſtamped impreſſion or copy of ſaid news paper ſo printed or publiſhed; and every printer or publiſher of a news paper printed or publiſhed during the time aforeſaid in any place in this kingdom, except as aforeſaid, ſhall on each day of publication of ſaid news paper cauſe to be delivered to the next diſtributor of ſtamps in the county, in which ſaid news paper ſhall be printed or publiſhed, two impreſſions or copies of every ſuch news paper ſo printed or publiſhed, ſtamped as aforeſaid, for which ſeveral copies or impreſſions ſo delivered as aforeſaid the reſpective printers or publiſhers thereof ſhall be paid the uſual and current prices of ſaid impreſſions or copies, and whenſoever and as often as any unſtamped

in other places 2 impreſſions to next ſtamp diſtributor,

ſtamped news paper or news papers ſhall be printed, publiſhed, expoſed, or offered to ſale by any printer, publiſher, or news hawker, or ſhall be conveyed by poſt or otherwiſe to any perſon by ſaid printer or publiſher, then and in every ſuch caſe the ſtamped impreſſion, copy, or duplicate, ſo delivered as aforeſaid, ſhall be evidence againſt ſaid printer or publiſher of the printing and publiſhing of all ſuch unſtamped news paper, of which news paper ſo unſtamped ſuch ſtamped impreſſion is a duplicate; and ſuch printer or publiſher of the impreſſion ſo ſtamped ſhall be deemed the printer or publiſher of all the unſtamped news papers, of which ſuch unſtamped news paper is an impreſſion or duplicate; and every printer or publiſher of ſuch news paper or news papers as aforeſaid, who ſhall neglect or omit to deliver or cauſe to be delivered ſuch copy or impreſſion as herein before directed, ſhall for every ſuch omiſſion pay a penalty of forty ſhillings, to be recovered by civil bill by any perſon who ſhall ſue for the ſame at the ſeſſions of the city or county of Dublin, or at the aſſizes in the reſpective counties where ſuch printer or publiſher ſhall reſide; and ſuch printer or publiſher of ſuch unſtamped news papers ſhall be ſubject to the penalties impoſed by an act paſſed this ſeſſion of parliament, intitled, *An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper*, for printing, publiſhing, or expoſing to ſale unſtamped news papers; ſuch penalty or penalties to be recovered by civil bill at the ſeſſions of the city or county of Dublin, or at the aſſizes in ſuch county where the printer or publiſher of ſuch unſtamped news paper or news papers reſpectively reſide, any thing in this act to the contrary notwithſtanding.

if any unſtamped printed, ſold, or conveyed, ſaid duplicate evidence,

not delivering ſuch copy 40s. by civil bill to proſecutor,

and printer ſubject to penalties in c 3. this ſeſſion for unſtamped news.

XC. And be it further enacted by the authority aforeſaid, that any perſon, who ſhall buy or ſell, or have or keep in his, her, or their poſſeſſion, any unſtamped news paper within the time aforeſaid, ſhall be ſubject and liable to the penalty of forty ſhillings ſterling for every ſuch unſtamped news paper ſo found in his, her, or their poſſeſſion; ſuch penalty to be recovered by civil bill, by any perſon who ſhall ſue for the ſame, the one moiety thereof to be diſpoſed of to the poor of the pariſh in which ſuch penalty ſhall be recovered, and the other to the uſe of the informer.

40s. penalty every unſtamped news paper found in poſſeſſion,

by civil bill,

to the poor and informer.

XCI. And be it further enacted by the authority aforeſaid, that an act made in the thirty third year of the reign of his late Majeſty king George the ſecond, intituled, *An act for better regulating the collection of his Majeſty's revenue, and for preventing of frauds therein, and for repealing an act made the laſt ſeſſion of parliament*, intituled, *An act for continuing and amending*

33 G. 2. c. 10.

A. D. 1779-80. Chap. 12.

ſeveral laws heretofore made relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in the ſaid act, and continued thereby, and alſo one other act
1 & 2 G. 3. c. 7. made in the firſt and ſecond years of his Majeſty's reign, intitled, *An act for continuing and amending an act,* intituled, *An act for better regulating the collection of his Majeſty's revenue, and for preventing frauds therein, and for repealing an act made the laſt ſeſſion of parliament,* intituled, *An act for continuing and amending ſeveral laws heretofore made relating to his Majeſty's revenue, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and the ſeveral acts and ſtatutes which are mentioned in*
3 & 4 G. 3. c. 21. *the ſaid act, and continued thereby,* and alſo one other act made in the third and fourth years of his Majeſty's reign, intituled, *An act for continuing and amending two ſeveral acts of parliament therein mentioned, and for the more effectual preventing of frauds in his Majeſty's cuſtoms and exciſe, and for other purpoſes therein*
5 & 6 G. 3. c. 15. *mentioned,* and alſo one other act made in the fifth and ſixth years of his Majeſty's reign, intituled, *An act for continuing and amending ſeveral laws relating to his Majeſty's revenue, and for the more effectual preventing of frauds therein, and for other purpoſes*
7 & 8 G. 3. c. 27. *therein mentioned,* and alſo one other act made in the ſeventh and eighth years of his Majeſty's reign, intituled, *An act for the further improvement of his Majeſty's revenue, and for continuing*
11 & 12 G. 3. c. 7. *and amending ſeveral acts therein particularly mentioned,* and alſo one other act made in the eleventh and twelfth years of his Majeſty's reign, intituled, *An act for the further improvement of his Majeſty's revenue, and the more effectual preventing of frauds therein, and for continuing and amending ſeveral laws heretofore made and now in force relative to his Majeſty's ſaid revenue,*
13 & 14 G. 3. c. 8. and alſo one other act made in the thirteenth and fourteenth years of his Majeſty's reign, intituled, *An act for continuing and amending ſeveral laws now in force relating to his Majeſty's reve-*
15 & 16 G. 3. c. 15. *nue, and for the more effectual preventing of frauds therein,* and alſo one other act made in the fifteenth and ſixteenth years of Majeſty's reign, intituled, *An act for the improvement of his Majeſty's revenue, and the more effectually preventing of frauds therein, and for continuing and amending ſeveral laws heretofore made and now*
17 & 18 G. 3. c. 8. *in force relative to his Majeſty's ſaid revenue,* and alſo one other act made in the ſeventeenth and eighteenth years of his Majeſty's reign, intituled, *An act for the improvement of his Majeſty's revenue, and the more effectually preventing of frauds therein, and for continuing and amending ſeveral laws heretofore made, and now in*

force

force relative thereto, and all and every the clauſes therein reſpectively contained (except ſuch parts thereof as are altered, repealed, or amended by this preſent act, or by any of the ſaid recited acts) ſhall continue and be in force for the ſpace of two years from the twenty fourth day of Auguſt one thouſand ſeven hundred and eighty, and from thence to the end of the then next ſeſſion of parliament, and no longer.

continued, ſave as altered, 2 years from 24 *Aug.* 1780 and to end of then next ſeſſion.

XCII. And be it further enacted by the authority aforeſaid, that all and every the fines, penalties, and forfeitures inflicted by this act, or by the ſaid ſeveral acts of parliament herein before laſt particularly mentioned or recited, or by any of them, (other than and except ſuch as by this act, or by any of the ſaid recited acts of parliament herein before laſt mentioned, are otherwiſe provided for) ſhall and may be ſued for, recovered, levied, and applied in ſuch manner and form, and by ſuch ways and means, and with ſuch powers and authorities, as are preſcribed, directed, and appointed in and by an act of parliament made in the fourteenth and fifteenth years of the reign of King Charles the ſecond, intitled, *An act for ſettling the exciſe or new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, as fully and effectually to all intents, conſtructions, and purpoſes, as if the ſame were particularly mentioned and expreſſed and re-enacted in the body of this preſent act, with the like remedy of appeal to and for the party or parties who ſhall think him, her, or themſelves aggrieved or injured, as in and by the ſaid act of exciſe is provided.

Penalties, ſave otherwiſe provided, levied and applied, as by 14 & 15 *C.* 2. c. 8.

with like appeal.

XCIII. And be it enacted by the authority aforeſaid, that the whole of the inland exciſe, and all duties paid on ſpirits diſtilled within this kingdom, ſhall be drawn back on the export thereof to any place except Great Britain, and be repaid in the manner that drawbacks of exciſe have been made to every perſon ſo exporting the ſame by way of merchandize at any time or times during the continuance of this act, without any regard whatſoever to the price of bere or barley at the time of ſuch export, any law to the contrary notwithſtanding.

All inland exciſe and duties on ſpirits diſtilled drawn back on export, except to *G. Britain*, without regard to price of bere or barley.

XCIV. Provided always, and be it further enacted by the authority aforeſaid, that this act, and the ſeveral proviſions hereby made, ſhall continue and be in force for the ſpace of two years from the twenty fourth day of Auguſt one thouſand ſeven hundred and eighty, and from thence to the end of the then next ſeſſion of parliament, and no longer.

Continuance 2 years from 24 *Aug.* 1780, and to end of then next ſeſſion.

CHAP.

A. D. 1779-80.

CHAP. XIII.

An act for explaining and amending an act passed in the fifteenth and sixteenth years of the reign of George the third, entitled, *An act for the better regulating the pipe water of the city of Dublin.*

15 & 16 G. 3. c. 24.

WHEREAS by an act passed in the fifteenth and sixteenth years of his present Majesty's reign, after reciting as is therein recited, several regulations are thereby made, which have been found to be of general use to the several inhabitants of the said city, but in some particulars require to be explained and amended: therefore be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the twenty fifth day of March one thousand seven hundred and eighty every owner or occupier of every house in the said city of Dublin, its liberties and suburbs, and in such parts of the county of Dublin and other districts, as are contained within the limits aforesaid, shall, and they are hereby required, under the direction of the proper officer or officers of the said city to provide for the use of such house or houses a ferule branch or leaden pipe of the usual and approved dimensions to convey the water from the several pipes, that now are or hereafter shall be laid in the several streets, alleys, yards, courts, squares, lanes, or on the quays in the said city (its liberties and suburbs) into such house or houses within the limits aforesaid in each case respectively.

owner of every house in *Dublin*, &c. shall under officer's direction provide a leaden pipe to convey water into such house.

II. And the better to enable the lord mayor, sheriffs, commons, and citizens of the city of Dublin to carry the said purposes into execution, to construct new mains and services of larger dimensions than heretofore used, to erect cisterns and reservatories, to place cocks and services of metal or wood, and to extend the whole of the said works, be it enacted by the authority aforesaid, that from and after the twenty fifth day of March one thousand seven hundred and eighty every owner or occupier of every house in the said city of Dublin, the liberties and suburbs thereof, shall pay to the said lord mayor, sheriffs, commons, and citizens of the city of Dublin, or to the officers or collectors by them authorized and appointed, the following sums annually, and no more, and at the following rates for water; for every dwelling house paying fifteen shilllings and upwards minister's

Every dwelling house, paying 15s. and upwards minister's money, shall pay 20s. annually, for water,

from 10 to 15s. 15s.

ter's money the annual rent or ſum of twenty ſhillings; for every dwelling houſe paying from ten ſhillings to fifteen ſhillings miniſter's money the annual rent or ſum of fifteen ſhillings; and for every dwelling houſe paying leſs than ten ſhillings miniſter's money the annual rent or ſum of ten ſhillings.

under 10l. 10s.

III. Provided always, and be it enacted by the authority aforeſaid, that where the miniſter's money is not aſcertained, then in every ſuch caſe reſpectively ſuch houſe or houſes ſhall be chargeable with and the poſſeſſors thereof ſhall pay at the rates before mentioned, according as the ſaid houſe or houſes ſhall be rated in and by the workhouſe books.

Where miniſter's money not aſcertained, rated by work-houſe books.

IV. And whereas many houſes are let out in divers portions, lodgings, or tenements to diſtinct tenants or inmates: be it enacted by the authority aforeſaid, that then and in every ſuch caſe the foregoing rent payable at the rates herein before mentioned ſhall be paid; and that the ſaid lord mayor, ſheriffs, commons, and citizens may be impowered to levy the ſame from the owners or owner, renter, or principal tenant of ſuch houſes or tenements, or from the occupier or occupiers of any part or parts of ſuch houſes or tenements, in ſuch manner as other diſtreſſes and ſales are by the aforementioned act directed; and ſuch occupier or occupiers of ſuch tenements being parts of houſes are hereby required and authorized to pay ſuch ſums, as are herein before mentioned, and to deduct the ſame out of the rent of his, her, or their holdings; and the owner or proprietors, renters, or principal tenants, are required to allow ſuch deductions and payments upon the receipts of the reſidue of the rents, and all ſuch tenants paying ſuch annual rents for water as herein charged ſhall be acquitted and diſcharged for ſo much, as the ſaid rent amounts to, as if the ſame were actually paid to ſuch perſons, to whom the rents of their ſeveral holdings ſhould have been due and payable.

Where divers tenants, ſaid rent levied from owner or the principal, or from occupier of part,

deducted and allowed to him on receipt of reſidue.

V. And be it enacted by the authority aforeſaid, that every brewer, maltſter, diſtiller, ſugar baker, tanner, ſkinner, dyer, and every other perſon or perſons who ſhall make uſe of the ſaid water in their ſeveral trades, occupations, or manufactures, ſhall pay for the ſaid water agreeable to the preſent mode according to their reſpective conſumptions and agreements for that purpoſe between them and the ſaid city; provided the ſaid ſum ſhall not exceed the ſum of twenty pounds in any one year for each perſon.

Perſons uſing ſaid water in trades, ſhall pay according to conſumption and agreement, not exceeding 20l. a year each.

VI. And be it enacted by the authority aforeſaid, that if any perſon neglect or refuſe to pay the annual rents herein before menti-

On non-payment 21 days after demand, the

A. D. 1779-80. Chap. 13.

mentioned for twenty one days after perſonal demand thereof, or demand in writing left at the place of abode or occupation of the perſons ſo directed to pay the ſaid rents, it ſhall and may be lawful to and for the ſaid lord mayor, ſheriffs, commons, and citizens of the ſaid city of Dublin, or their officer or receivers appointed to receive the ſaid annual rents, to cut off all ſupply of water by drawing their ferules out of the wooden pipes, or by warrant under the hand and ſeal of the lord mayor of the ſaid city for the time being, which warrant, be it enacted by the authority aforeſaid, the ſaid lord mayor may be authorized and required to grant, by and with the aſſiſtance of the high conſtable of the ſaid city of Dublin, or a conſtable of the pariſh or place where ſuch neglect or refuſal ſhall happen, who is required to be aiding and aſſiſting, to enter into the houſes or lands within the ſaid city, and its liberties and ſuburbs, occupied by the perſons ſo chargeable with the ſaid rents, and to diſtrain their goods and chattles; and if the ſaid annual rent ſhall not be paid within twenty one days after ſuch diſtreſs, together with the coſts of the ſaid diſtreſſes, to be aſcertained by any two or more juſtices of the peace for the county of the city of Dublin, then to ſell ſo much and ſuch part thereof as will be ſufficient to pay the ſaid rent, with all coſts and charges attending ſuch diſtreſs and ſale, returning the overplus (if any) to the owners of ſuch goods and chattles.

ſupply cut off by drawing out ferules, or diſtrained on lord mayor's warrant with a conſtable, and ſale if not paid in 21 days with coſts, aſcertained by 2 juſtices.

VII. And be it enacted by the authority aforeſaid, that where any diſtreſs is made for any money to be levied by this act, the diſtreſs itſelf ſhall not be deemed unlawful, nor the parties making ſuch diſtreſs be deemed treſpaſſers on account of any default or want of form in any proceedings relative thereto, nor yet be deemed treſpaſſers *ab initio* on account of any irregularity afterwards done by the party or parties diſtraining, but the perſon aggrieved by ſuch irregularity may recover full ſatisfaction for the ſpecial damage in an action on the caſe.

Diſtreſs not unlawful for want of form,

nor parties treſpaſſers for irregularity,

but full ſatisfaction in *caſe*.

VIII. And be it enacted by the authority aforeſaid, that no plaintiff ſhall recover in any action for any ſuch irregularity, treſpaſs, or other proceeding, if tender of ſufficient amends ſhall be made by or on behalf of the parties, who committed or cauſed to be committed any ſuch irregularity, treſpaſs, or wrongful proceedings, before ſuch action brought; and in caſe no ſuch tender ſhall have been made before action commenced, it ſhall be lawful for the defendants in any ſuch actions by leave of the court before iſſue joined to pay into court ſuch ſum of money, as he or they ſhall think fit; whereupon ſuch proceedings, or order

Unleſs tender of amends before,

defendants before iſſue may by leave pay into court,

and

and judgment, ſhall be had, made, and given in and by ſuch court, as in other actions wherein the defendants are allowed to pay money into court.

order thereon as uſual.

IX. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid lord mayor, ſheriffs, commons, and citizens, or their ſucceſſors, or their engineer appointed by them for conducting the ſaid works, to enter into all the houſes and premiſſes within the ſeveral diſtricts aforeſaid from eight of the clock in the morning until four in the afternoon, a day's notice in writing thereof being firſt given, to inſpect if there ſhould be any undue diverſion or improper appropriation of water.

On a day's notice in writing houſes entered from 8 till 4 to ſee if undue diverſion of water.

X. And to prevent as much as poſſible the wilful and negligent waſte of water be it enacted by the authority aforeſaid, that hereafter no private dwelling houſe, manufacturer, or others, be ſupplied with water, unleſs the poſſeſſor thereof do and ſhall provide a proper ciſtern of lead, brick, or wood, to hold a ſufficiency of water, and ball and ſtop cocks placed thereon to prevent waſte, when the ſaid ciſterns are fully ſerved and filled, under the penalty of ten pounds, to be recovered in manner herein after mentioned.

No ſupply of water, unleſs proper ciſtern provided to hold ſufficiency, and ſtop cocks to prevent waſte,

penalty 10l.

XI. And be it enacted by the authority aforeſaid, that all pipes, branches, ferules, and cocks for ſupplying of water, the property of private perſons, be, and are hereby directed to be, under the management and direction of the ſaid lord mayor, ſheriffs, commons, and citizens, and their ſucceſſors, their engineer, officers or workmen, under the penalty of ten pounds, to be recovered in the manner herein after mentioned.

Pipes, &c. to be under direction of lord mayor, &c.

penalty 10l.

XII. And be it further enacted by the authority aforeſaid, that in caſe the ſaid lord mayor, ſheriffs, commons, and citizens, or their ſucceſſors, their officers, or workmen, ſhall be interrupted, moleſted, or prohibited at any time hereafter in the execution of the ſaid works, or in the exerciſe of their reſpective duties, contrary to the true intent and meaning of this act, every ſuch perſon or perſons ſhall forfeit for every ſuch offence the ſum of twenty pounds, one moiety thereof to be for the uſe of the governors of the bluecoat hoſpital in Oxmantown in the ſaid city of Dublin to be applied by them to the uſe of the ſaid hoſpital, the other moiety to the uſe and benefit of the informer to be recovered before any of his Majeſty's juſtices of the peace for the county of Dublin or county of the city of Dublin, where ſuch offence ſhall be committed, upon the oath of one or more witneſs or witneſſes; and upon conviction to be levied

If interrupted 20l. forfeited,

to bluecoat hoſpital and informer;

before any juſtice of the county or city.

A. D. 1779-80. Chap. 13.

levied on the goods and chattles of the offender or offenders by warrant under the hand and seal of such justice of the peace, who is and are hereby required to grant the same.

Each private house supplied, extra-parochial, or in county at large, shall pay 20s. manufacturer according to consumption.

XIII. And be it enacted by the authority aforesaid, that all and every person or persons, who shall supply themselves with water from the city water course for private use, or for carrying on manufactures, either extraparochial, or in the county of Dublin at large, shall and they are hereby required to pay for each private house twenty shillings; and that each and every such manufacturer shall pay according to his consumption.

Persons diverting the water, or thro' whose concerns conveyed, forfeit 10l. to said hospital and informer.

XIV. And be it enacted by the authority aforesaid, that if any person or persons shall affix to or insert any ferule or branch into any of the water pipes or course for conveying water, or otherwise divert the said water from the said pipes or course, without the knowledge of the said lord mayor, sheriffs, commons, and citizens, or their successors, their officers or workmen, all and every such person or persons, and every person or persons into or through whose concerns or premisses such water is conveyed, shall forfeit the sum of ten pounds for every such offence, one moiety thereof for the use of the governors of the bluecoat hospital in Oxmantown in the said city of Dublin to be applied by them to the use of the said hospital, the other moiety thereof to the use and benefit of the informer, to be recovered before any of his Majesty's justices of the peace for the county of Dublin, or county of the city of Dublin, where such offence shall be committed, upon the oath of one or more witness or witnesses; and upon conviction to be levied on the goods and chattles of the offender or offenders by warrant under the hand and seal of such justice or justices of the peace, who is and are hereby required to grant the same.

No nuisance on or near said water,

XV. And for the removing of any house of ease, dunghill, sewer, or other nuisance on or near the said water course, so that the water shall or may be soiled or corrupted thereby, be it enacted by the authority aforesaid, that no house of ease, dunghill, sewer, or other nuisance, be permitted or suffered to be, or continued on or near the said water, or water course or water courses, or any part thereof, from and after the passing of this act; and in case any person or persons shall continue such house or houses of ease, dunghill or dunghills, sewer or sewers, nuisance or nuisances, upon or near such water, water course or water courses, or shall hereafter build any new house of ease, sewer, or nuisance, or make any dunghill upon or near such water, water course or water courses, so as that the water of

such

ſuch water courſe ſhall or may be ſoiled, fouled, or corrupted; every perſon or perſons ſo offending ſhall forfeit for every month, ſuch houſe or houſes of eaſe, dunghill or dunghills, ſewer or ſewers, nuiſance or nuiſances, ſhall be or continue, the ſum of ten pounds, to be recovered before any of his Majeſty's juſtices of the peace for the county, where ſuch offence ſhall be committed, upon the oath of one or more witneſs or witneſſes, and upon conviction to be levied off the goods and chattles of the offender or offenders by warrant under hand and ſeal of ſuch juſtice or juſtices of the peace, who is and are hereby required to grant the ſame, and to be applied to the uſe of the informer.

penalty 10*l. per* month, to informer, before a juſtice for the county.

XVI. And be it enacted by the authority aforeſaid, that in caſe there ſhould be no valuation for miniſter's money or work-houſe money had or obtained for any houſe or premiſſes within the limits aforeſaid, that then, and in ſuch caſe, and until a valuation can be had and obtained, that the ſaid lord mayor, ſheriffs, commons, and citizens, and their ſucceſſors, be and they are hereby impowered to appoint two perſons to value all new houſes; and the ſaid lord mayor, ſheriffs, commons, and citizens, and their ſucceſſors, are hereby impowered to levy ſuch money, as ſhall be ſo aſcertained by the ſaid two perſons to be the value of ſuch houſes, until ſuch valuation is obtained.

lord mayor, &c. to appoint 2 valuators for new houſes, 'till obtained for miniſter's or work-houſe money.

XVII. Provided always, and be it enacted by the authority aforeſaid, that before ſuch perſons enter upon or make ſuch valuation, they reſpectively before the lord mayor for the time being take and ſubſcribe the following oath:

Valuator's previous oath.

I *A. B. do ſwear, that I will according to the beſt of my knowledge, ſkill, and judgment, aſcertain the value of the houſe occupied in the poſſeſſion of or owned by* C. D. *in the county of or county of the city of Dublin, and make true return thereof, without favour, ill-will, or affection, to any perſon whatſoever. So help me God.*

XVIII. And be it enacted by the authority aforeſaid, that the lord mayor, ſheriffs, commons, and citizens of the city of Dublin, and their ſucceſſors, may be impowered to make and eſtabliſh ſuch regulations for the better improvement of the ſaid works, and to lay down and fix ſuch mains, ſervices, branches, cocks, plugs, fire cocks, and other neceſſary device and devices, upon ſuch conſtructions as to them may ſeem expedient, from the place or reſervatory called the city baſon, or from any reſervoir which may hereafter be made, and from the water wheel or engine at Iſland bridge, through the ſeveral roads, highways,

Lord mayor, &c. to make regulations for improvement of ſaid works, fix mains and neceſſary devices from the baſon and engine at *Iſland-bridge*,

A. D. 1779-80. Chap. 13.

streets, alleys, yards, courts, squares, open areas, lanes, quays, and passages of the said city of Dublin, its liberties and suburbs, and that they may be appointed conservators of the said water and water course from the said bason, and from the said water wheel or engine; and that they may be authorized and impowered to break up and dig the soil and ground of every such road, street, alley, yard, court, square, open area, lane, quay, and passage, for the purpose aforesaid, to and through the several places aforesaid, with the same powers, restrictions, reservations, and penalties, and subject to the same appeal, as is directed and appointed by an act of parliament passed in this kingdom in the fifth year of the reign of his late Majesty King George the first, entitled, *An act for cleansing and repairing the water course leading from the river Dodeer to the city of Dublin, and to prevent diverting and corrupting the water therein.*

appointed conservators;

may dig up any passage for said purpose,

with like powers and penalties, and appeal, as in 6 G. 1. c. 16.

XIX. And be it enacted by the authority aforesaid, that all the clauses of the aforesaid act, passed in the fifth year of the reign of his said late Majesty King George the first, and all the clauses of the aforesaid act also passed in this kingdom in the fifteenth and sixteenth years of his present Majesty King George the third, not hereby altered or varied, shall be and remain in force as fully, as if this act had not been made.

6 G. 1. c. 16. and 15 & 16 G. 3. c. 24. save as altered, remain in force.

XX. Provided always, that nothing herein contained shall extend to charge or affect any brewer or other person, entitled to and possessed of the use of any part of the water of the said river Dodeer by title not derived under the said lord mayor, sheriffs, commons, and citizens, with the payment of the rent for any water or water course, to which they are so entitled, and whereof they are now in possession.

Not to affect brewer or other intitled to use of the *Dodeer*, not derived under lord mayor, &c.

XXI. And be it enacted by the authority aforesaid, that if any action or suit shall be commenced or replevin brought against any person for any thing done by him under and in pursuance of this act, the defendant or defendants, avowant or avowants, or others making cognizance in such action, suit, or replevin, may plead the general issue, or avow, or make cognizance generally, that the plaintiff is indebted to the said corporation of Dublin in a certain sum of money by virtue of this act, and that the same still remains due, and give this act and the special matter in evidence at any trials thereupon, and that the distress or other matter or thing, for which such action, suit, or replevin shall be so brought, was taken or done in pursuance and by authority of this act; and if in such action, suit, or replevin the jury shall find for such defendant, avowant, or person making cognizance,

Defendant, avowant, or making conuzance, may plead general issue, &c. and give this act and special matter in evidence,

or if the plaintiff ſhall be nonſuited or diſcontinue, or if by default or upon any demurrer judgment ſhall be given for ſuch defendant or avowant, or perſon making cognizance, in any of the caſes aforeſaid ſuch defendant, or avowant, or perſon making cognizance, ſhall have double coſts and ſuch remedy for recovering the ſame, as any defendant may have for coſts in any other caſe by law; and, if the plaintiff ſhall have proceeded by way of replevin, ſhall alſo have judgment for a return of the diſtreſs taken.

and have double coſts.

XXII. And whereas the earls of Meath, lords of the manor of the liberty of Thomas Court and Donore, have for many ages been ſeized and poſſeſſed of part of the ſaid water courſe of the ſaid river Dodeer, beginning at the place called the tongue of ſaid river, which divides ſaid water courſe between the liberty and the city of Dublin; and are annually at a very great expence in repairing the banks of ſaid river, and putting in pipes for the convenience of the inhabitants of the ſaid liberty: and whereas the ſaid inhabitants have not of late been ſufficiently ſupplied with water, occaſioned by perſons damming up, ſtopping the currency of the water, breaking down, deſtroying the banks, ditches, fences, quarrying and raiſing ſtones near the banks, making flood gates, holes, cuts, and putting in pipes, making ſewers, and drawing off the ſaid water of the ſaid water courſe of ſaid river, and by privately and ſecretly affixing to and inſerting ferules or branches into the water courſe or main pipes of ſaid liberty, and otherwiſe diverting ſaid water, and ſuffer the ſame to run to waſte without the knowledge, privilege, or licence of the earl of Meath, his agents or officers appointed for taking care of ſaid water: and whereas many perſons throw in, waſh, dip, ſcour, beat, and ſteep, within the ſaid water courſe, linen, woollen, cloths, yarn, flax, tape, manufactures of linen, cotton, coloured with dye ſtuffs, ſkins, garbage, and commit ſeveral other nuiſances to corrupt and foul ſaid water, to the great hazard and danger of the lives, health, and ſafety of the inhabitants: To prevent the ſame be it enacted by the authority aforeſaid, that from and after the twentieth day of March one thouſand ſeven hundred and eighty if any perſon or perſons ſhall dam, ſtop up the currency of the water, break down, deſtroy the banks, ditches or fences, dig, quarry, or raiſe ſtones near ſaid banks, make any flood gate, gap, hole, cut, put in any pipe in the banks, ditches or fences, or draw off the water of ſaid water courſe, or if any perſon or perſons ſhall privately and ſecretly affix to or inſert any pipe, ferule, or branch

Lords of the manor poſſeſſed of part of the water-courſe of the *Dodeer*;

perſons who dam the water, deſtroy fences, quarry, or divert from its courſe, without lord *Meath*'s licence, break wall or water-gate, or do

A. D. 1779-80. Chap. 13.

branch into the ſaid water courſe, or into any of the main pipes of ſaid liberty for carrying water, or otherwiſe diverting ſaid water from its courſe or main pipes, without the knowledge or licence of the ſaid earl of Meath, his agent or officer appointed to take care of ſaid water courſe; and if any perſon or perſons ſhall break down any wall, water gate, put up by order of ſaid earl, his agent, ſeneſchal, or officer, for the better preſerving ſaid water from running to waſte, or ſhall throw in, waſh, dip, ſcour, beat, or ſteep, in ſaid water courſe any linen, woollen, cloth, yarn, flax, hemp, or any manufactures made of linen, woollen, cloths dyed with dye ſtuff, ſkins, garbage, or do any act that may foul or corrupt the ſaid water, every perſon or perſons ſo offending in any of the ſaid particulars ſhall for every ſuch offence forfeit the ſum of twenty ſhillings, one moiety to be paid to the uſe of the bluecoat hoſpital, and the other moiety to the informer, to be recovered before the ſeneſchal of ſaid liberty, or before any of his Majeſty's juſtices of the peace for the county of Dublin or county of the city of Dublin, where ſuch offence ſhall be committed, upon oath of one or more witneſs or witneſſes, and upon conviction to be levied on the goods and chattles of the offender or offenders by warrant under the hand and ſeal of ſaid ſeneſchal, or of ſuch juſtice or juſtices of the peace, who is and are hereby required to grant the ſame.

any act to foul or corrupt ſaid water, forfeit 20s.

to ſaid hoſpital and informer,

before ſeneſchal or a juſtice for the county or city.

XXIII. And be it enacted by the authority aforeſaid, that this act ſhall be deemed a publick act, and judicially taken notice of as ſuch in all courts by all judges, juſtices, and other perſons without ſpecially pleading the ſame.

A publick act.

XXIV. Provided nevertheleſs, that if any perſon within the city of Dublin, who is not actually in publick buſineſs, who has or ſhall at any time hereafter for their conveniency unite two houſes into one, or ſhall build one or more additions to any houſe, and ſhall have but one branch to convey water to ſuch houſe ſo converted, ſuch perſon ſhall be liable only to pay the ſum of twenty ſhillings for ſaid branch, any thing contained in this or the former act to the contrary notwithſtanding.

Uniting 2 houſes (not in publick buſineſs) or adding, and having but 1 branch, liable to 20s. only.

XXV. And provided alſo, that if any perſon or perſons is or are now or hereafter ſhall be in poſſeſſion of one houſe, and that the ſame is or ſhall be converted into two or more houſes or dwellings, that then and in ſuch caſe ſuch perſon or perſons ſhall each of them pay ſuch ſum or ſums of money, as if the ſame were two or more houſes.

One houſe converted into 2 or more dwellings, each perſon to pay as if 2 or more houſes.

CHAP.

A. D. 1779-80.

CHAP. XIV.

An Act for reviving, continuing, and amending ſeveral temporary Statutes.

WHEREAS an act made in the thirty third year of his late Majeſty George the ſecond, entitled, *An act for the more equal aſſeſſing and better collecting of publick money in counties of cities and counties of towns*, is near expiring: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the ſaid act be made perpetual. 33 G. 2. c. 7. made perpetual.

II. And whereas an act paſſed in this kingdom in the third year of the reign of his preſent Majeſty, entitled, *An act for confirming the titles and for quieting the poſſeſſions of proteſtants, and for giving time to converts from popery to perform the requiſites of conformity preſcribed by the laws againſt popery*, which enacts, That all ſuch perſon or perſons, as had therefore obtained the biſhop's certificate of their conformity, and from and after obtaining the ſame had profeſſed the proteſtant religion, and had continued proteſtants, and had not performed all the requiſites of conformity, and ſhould perform the ſame before the firſt day of December one thouſand ſeven hundred and ſixty five, ſhould from the time of his, her, or their conformity from the popiſh to the proteſtant religion be deemed and taken to be proteſtants of the eſtabliſhed church to all intents and purpoſes, with a proviſo in ſaid act that nothing therein contained ſhould bar, defeat, or prejudice any judgment or decree whatſoever in any court of law or equity, or any ſuit then depending on the popery laws; which clauſe to limit the time for performing the ſaid legal requiſites of conformity was enlarged by ſeveral other ſubſequent acts: be it enacted by the authority aforeſaid, That ſaid clauſe to limit the time for performing the ſaid legal requiſites of conformity ſhall be further enlarged, and extended to, and remain in force to the twenty fourth day of June one thouſand ſeven hundred and ninety one, and to the end of the then next ſeſſion of Parliament. 3 G. 3. c. 26. the time limited for conformity enlarged to 24 June 1791, and to end of then next ſeſſion.

III. And whereas an act paſſed in the ſeventeenth and eighteenth years of the reign of his preſent Majeſty, entitled, *An act for reviving and continuing ſeveral temporary ſtatutes*, wherein it is amongſt other things recited, That whereas by an act paſſed in By 17 & 18 G. 3. c. 36. ſ. 14. reciting 13 & 14 G. 3. c. 6. & 15 & 16

A. D. 1779-80. Chap. 14.

the thirteenth and fourteenth years of the reign of his preſent Majeſty, entitled, *An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon vellum, parchment, and paper*, and alſo by an act paſſed in the fifteenth and ſixteenth years of the reign of his preſent Majeſty, entitled, *An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper*, and alſo by an act paſſed in the then preſent ſeſſion of Parliament, entitled, *An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment, and paper*, it is ſeverally enacted amongſt other things, That for the times in the ſaid acts reſpectively mentioned, there ſhall be paid unto his Majeſty, his heirs and ſucceſſors, a ſum of ſix pence for every ſkin or piece of vellum or parchment, and for every ſheet or piece of paper, upon which any admiſſion into any corporation or company ſhould be engroſſed or written, and alſo by an act paſſed in the preſent ſeſſion of Parliament, entitled, *An act for granting unto his Majeſty, his heirs and ſucceſſors, ſeveral duties upon ſtamped vellum, parchment and paper*, it is enacted among other things, That for the time in the ſaid act mentioned there ſhould be paid unto his Majeſty, his heirs and ſucceſſors, a ſum of ſix pence for every ſkin or piece of vellum or parchment, and for every ſheet or piece of paper, upon which any admiſſion into any corporation or company ſhould be engroſſed or written: and whereas it is alſo by the ſaid ſeveral acts further enacted, That if any perſon or perſons ſhall engroſs or write, or cauſe to be engroſſed or written, upon any vellum, or parchment, or paper, any of the matters or things, for which the ſaid vellum, parchment, or paper is thereby ſeverally charged to pay any duty, before ſuch time as the ſaid vellum, parchment, or paper, ſhall be marked or ſtamped as therein mentioned, or upon which there ſhall not be ſome ſtamp or mark reſembling the ſame, or ſhall engroſs or write, or cauſe to be engroſſed or written, any matter or thing upon any vellum, parchment, or paper, that ſhall be ſtamped or marked for any lower duty, than the duty by the ſaid acts payable for what ſhall be ſo engroſſed or written, then and in every ſuch caſe there ſhall be duly entered and paid unto his Majeſty, over and above the duty in ſaid acts reſpectively before mentioned, for every ſuch deed, inſtrument, or writing, the ſum of ten pounds; and that no ſuch record, deed, inſtrument, or writing, ſhall be pleaded or given in evidence in any court, or admitted in any court to be good or available in law or equity, until as well the ſaid duty as the ſaid ſum of ten pounds ſhall be firſt paid to his Majeſty's uſe, and ſuch receipt as therein mentioned produced

G. 3. c. 9. & 17 & 18 G. 3. c. 3. and by 19 & 20 G. 3 c. 8. 6d. to be paid for every ſkin or ſheet, upon which admiſſion into company or corporation ingroſſed or written, and if before ſtamped 10l. alſo paid, or ſuch writing not admitted,

produced for the ſame, and until the vellum, parchment, or paper, on which ſuch deed, inſtrument, or writing ſhall be written or made, ſhall be marked or ſtamped with a lawful mark or ſtamp: and whereas doubts have ariſen on the conſtruction of the ſaid clauſes and proviſions, ſo far as they relate to the admiſſion into corporations and companies: And whereas many perſons have been admitted into corporations and companies, and their admiſſion entered, engroſſed, or written upon vellum, parchment, or paper not ſtamped: And whereas great inconveniencies would ariſe to ſeveral corporations and companies, if the ſaid ſum of ten pounds was to be paid for every ſuch omiſſion, or in default thereof the ſaid admiſſion rendered void and ineffectual: for remedy whereof be it enacted by the authority aforeſaid, That all and every ſuch admiſſion or admiſſions into any corporation or company, which has or have antecedent to the firſt day of February one thouſand ſeven hundred and eighty been entered, engroſſed, or written, without ſtamp, ſhall be to all intents as valid and effectual, and equally to be pleaded or given in evidence, as if the ſame had been entered, written, or engroſſed on vellum, parchment, or paper duly ſtamped, and the duties paid for the ſame, as required by the ſaid acts, or any of them, ſave and except in caſes where any ſuit or proceeding at law already commenced, and now depending, or any admiſſion already brought into controverſy, can or may be effected thereby; provided that ſuch admiſſion or admiſſions ſhall be lawfully ſtamped, and the duty of ſix pence thereon reſpectively payable duly paid on or before the twenty fifth day of March, which ſhall be in the year of our Lord one thouſand ſeven hundred and eighty one; which ſaid ſtamp the officers for money in the ſtamp duties are hereby authorized and required to grant on ſaid payment of ſix pence: And provided alſo, That nothing in this act contained ſhall extend or be conſtrued to extend to make any entry in any corporation book liable to any ſtamp or duty, other than the ſame is or are now by law liable to.

all admiſſions into company or corporation before 1ſt Feb. 1780, ſhall be as valid as if duly ſtamped and duties paid, (ſave where ſuit commenced) if lawfully ſtamped and duty paid by 25 March 1781,

not to make entry in corporation book liable ſave as now by law.

IV. And whereas an act paſſed in the thirteenth year of the reign of his preſent Majeſty, entitled, *An act for amending an act paſſed in the twenty ninth year of King George the ſecond*, entitled, *An act for the further encouragement of tillage*, which act was further continued by an act paſſed in the ſeventeenth and eighteenth years of his preſent Majeſty's reign, entitled, *An act for continuing an act*, entitled, *An act for amending an act paſſed in the twenty ninth year of the reign of his late Majeſty King George the ſecond*, entitled, *An act for the further encouragement of tillage*: and whereas ſaid act has been found beneficial to this country, and

13 *G.* 3. c. 11. continued by 17 & 18 G. 3. c. 31. further continued to 25 Dec. 1785.

A. D. 1779-80. Chap. 14.

is now near expiring: be it enacted by the authority aforeſaid, That ſaid act may be continued to the twenty fifth day of December one thouſand ſeven hundred and eighty five.

15 & 16 G. 3. c. 21. continued with amendments by 17 & 18 G. 3. c. 36. ſ. 8. *and by* 21 & 22 G. 3. *c.* 40 *to* 24 *June* 1787, *&c.*

V. And whereas an act paſſed in the fifteenth and ſixteenth years of his preſent Majeſty, entitled, *An act to prevent and puniſh tumultuous riſings of perſons within this kingdom, and for other purpoſes therein mentioned*; which ſaid act was further continued and amended by an act paſſed in the ſeventeenth and eighteenth years of his preſent Majeſty, entitled, *An act for reviving and continuing ſeveral temporary ſtatutes*: and whereas ſaid acts and amendments are now near expiring: be it enacted by the authority aforeſaid, That ſaid recited act, and the clauſes by way of amendment added to it by the laſt recited act, may be further continued to the twenty fourth day of June one thouſand ſeven hundred and eighty three, and from thence to the end of the then next ſeſſion of Parliament.

11 G. 3. c. 5. continued by 17 & 18 G. 3. c. 36. ſ. 13. further continued to 24 June 1785, *and to* 1787 *by* 21 & 22 G. 3. *c.* 40.

VI. And be it enacted by the authority aforeſaid, That an act made in this kingdom in the eleventh year of the reign of his preſent Majeſty, entitled, *An act to prevent combinations to raiſe the price of coals in the city of Dublin*, which act was revived and continued by an act of the laſt ſeſſions, entitled, *An act for reviving and continuing ſeveral temporary ſtatutes*, be further continued in force to the twenty fourth day of June one thouſand ſeven hundred and eighty five.

VII. And whereas ſeveral perſons well affected to his Majeſty's government and the eſtabliſhed church, may have neglected or been prevented from taking and ſubſcribing the oaths, and performing the other qualifications preſcribed by an act paſſed in this kingdom in the ſecond year of the reign of queen Anne, entitled, *An act to prevent the further growth of popery*, and may have by ſuch omiſſion incurred great penalties: be it enacted by the authority aforeſaid, That all and every perſon and perſons, who have on or before the firſt day of Auguſt one thouſand ſeven hundred and eighty incurred any penalties in the ſaid act to prevent the further growth of popery mentioned by omitting to qualify themſelves according to the ſaid act, ſhall be and are hereby indemnified, freed, and diſcharged from all incapacities, diſabilities, forfeitures, and penalties in and by reaſon of ſuch omiſſion or neglect as aforeſaid, and that no act or acts done by them, or any of them, and not yet avoided, ſhall be queſtioned or avoided by reaſon of ſuch omiſſion, but that all ſuch acts ſhall be, and are hereby declared and enacted to be good and effectual, any thing in the ſaid act to the contrary notwithſtanding.

VIII. Provided always, That ſuch perſon or perſons do and ſhall take and ſubſcribe the ſaid oaths, and perform ſuch other requiſites, as are preſcribed by ſaid act in the manner therein mentioned, on or before the twenty ninth day of December which ſhall be in the year one thouſand ſeven hundred and eighty.

3 G. 3. c. 23. prohibiting killing game at certain ſeaſons, and ſelling,

IX. And whereas an act paſſed in this kingdom in the third year of his preſent Majeſty, *For the better preſervation of the game*, ſo far as it relates to the killing of game, and expoſing the ſame to ſale at improper ſeaſons of the year, is found to be uſeful and fit to be continued: be it enacted by the authority aforeſaid,

A. D. 1779-80. Chap. 14.

that all the clauſes in the ſaid act contained, which prohibit the taking and killing of game at certain ſeaſons of the year, and expoſing the ſame to ſale, and all the penalties and proviſions relative thereunto, which by the ſaid act are made a provideé, ſhall be continued in force until the twenty fourth day of June one thouſand eight hundred, and to the end of the then next ſeſſion of parliament.

continued to 24 *June* 1800, and to end of then next ſeſſion.

X. And whereas an act paſſed in the firſt year of his preſent Majeſty, intitled, *An act to prevent the exceſſive price of coals in the city of Dublin*, which act was continued and amended by an act paſſed in the third year of his ſaid Majeſty's reign, intitled, *An act to amend and continue an act*, intitled, *An act to prevent the exceſſive price of coals in the city of Dublin*: and whereas an act paſſed in the fifth year of his preſent Majeſty extending ſaid recited acts with all proviſions and amendments to the city of Cork, and enacting ſuch other proviſions and regulations as were neceſſary to have the ſame carried into effect in the city of Cork: and whereas ſaid acts have been found beneficial: be it enacted by the authority aforeſaid, that all the ſaid recited acts, proviſions, and amendments ſhall continue and be in force until the twenty fourth day of June one thouſand ſeven hundred and eighty ſeven, and to the end of the then next ſeſſion of parliament.

1 G. 3. c. 10. 3 G. 3. c. 27. 5 G. 3 c. 15. ſ. 23, 24, 25, 26.

continued to 24 *June* 1787, and to end of next ſeſſion.

XI. And be it further enacted by the authority aforeſaid, that an act made in this kingdom in the ſeventeenth and eighteenth years of the reign of his preſent Majeſty, intitled, *An act to authorize for a limited time the puniſhment by hard labour of offenders, who for certain crimes are or ſhall become liable to be tranſported to any of his Majeſty's colonies and plantations*, which ſaid act is made to continue in force for two years, and to the end of the then ſeſſion, or if the term of two years ſhould not determine during any ſeſſion of parliament, then to the end of the then next enſuing ſeſſion of parliament, be continued for two years from the firſt of Auguſt one thouſand ſeven hundred and eighty, and to the end of the then next ſeſſion of parliament.

17 & 18 G. 3. c. 9. continued 2 years from 1 *Aug.* 1780, and to end of next ſeſſion.

A. D. 1779-80.

CHAP. XV.

An act for continuing ſeveral temporary ſtatutes, and for amending an act paſſed in the eleventh and twelfth years of the reign of his preſent Majeſty, for the better paving, cleanſing, lighting, altering, and improving Sackville-ſtreet and Marlborough-ſtreet in the city of Dublin, and the lanes and avenues leading unto the ſame reſpectively; and for enabling the corporations for badging the poor within the county of Waterford and the county of the city of Waterford to unite and become one corporation; and alſo for eſtabliſhing a body corporate within the town and pariſh of Liſburn in the county of Antrim for the better ſupport and government of the poor within the ſaid town and pariſh.

17 & 18 *G.* 3. c. 11. continued and amending 13 & 14 *G.* 3. c. 45, to 24 *June* 1782, continued from thence 7 years, and to end of next ſeſſion.

WHEREAS ſeveral temporary laws and ſtatutes hereafter mentioned are deemed proper to be continued: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that an act made in this kingdom in the ſeventeenth and eighteenth years of the reign of his preſent Majeſty, intitled, *An act for continuing and amending an act paſſed in the fourteenth year of his preſent Majeſty's reign,* intitled, *An act to prevent malicious cutting and wounding, and to puniſh offenders called chalkers*; which ſaid act is made to continue in force only to the twenty-fourth day of June one thouſand ſeven hundred and eighty-two, be continued from thence for ſeven years and to the end of the then next ſeſſion of parliament.

17 & 18 *G.* 3. c. 17, continued 2 years and to end of the then ſeſſion,

and 2 years &c. from 24 *June* 1780, *by* 19 & 20 *G.* 3. c. 21. *ſ.* 3.

II. And be it further enacted by the authority aforeſaid, that an act made in this kingdom in the ſeventeenth and eighteenth years of the reign of his preſent Majeſty, intitled *An act to amend and continue an act paſſed in the thirteenth and fourteenth years of his preſent Majeſty,* intitled, *An act for the better regulation of the baking trade in the city of* Dublin, *and for other purpoſes*; which ſaid act is made to continue in force for two years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, and to the end of the next ſeſſion of parliament, be further continued for two years, and to the end of the then ſeſſion of parliament.

17 & 18 *G.* 3. c. 32, continued 2 years

III. And be it further enacted by the authority aforeſaid, that an act made in this kingdom in the ſeventeenth and eighteenth years of the reign of his preſent Majeſty, intitled, *An act for regulating*

lating the price and aſſize of bread, and preventing frauds and impoſitions in the ſale of flour, meal, beer, ale, potatoes, butcher's meat, and other articles ſold by weight or meaſure in the county of Dublin, which ſaid act is made to continue in force for two years from the twenty fourth day of June one thouſand ſeven hundred and ſeventy eight, and to the end of the then next ſeſſion of parliament after the ſaid two years, be further continued for two years, and to the end of the then next ſeſſion of parliament.

and to end of then next ſeſſion.

IV. Whereas by an act paſſed in this kingdom in the eleventh and twelfth years of his Majeſty's reign, intitled, *An act for the better paving, cleanſing, lighting, altering, and improving the new ſtreet called* Sackville-ſtreet *and the* Mall *in the city of* Dublin, *and the lanes and avenues leading into the ſame; as alſo the ſtreet called* Marlborough-ſtreet, *running parallel thereto on the eaſt ſide, with the lanes and avenues leading into the ſame*, certain commiſſioners therein named are appointed for the purpoſe of paving, cleanſing, lighting, draining, and improving the ſaid ſtreets, and certain powers are veſted in them for the purpoſes aforeſaid: And whereas it was not meant or intended by the ſaid act to diſcharge any body politick or corporate from cleanſing the ſaid ſtreets, and the lanes and avenues leading into the ſame reſpectively, who by any tenure or otherwiſe by law were bound, obliged, or liable to cleanſe the ſame, or either or any of them, or to diſpenſe with their ſo doing: but yet nevertheleſs the commiſſioners, appointed by the ſaid recited act, have ſince the making thereof cleanſed the ſame to the no ſmall expence and trouble of the inhabitants of the ſaid ſeveral ſtreets, lanes, and avenues: be it therefore enacted by the authority aforeſaid, that all and every body and bodies politick and corporate, who before the making of the ſaid act was or were bound, obliged, or liable to cleanſe the ſaid ſtreets, lanes, and avenues, or any or either of them, ſhall from and after the paſſing this act be and continue bound, obliged, and liable to cleanſe the ſame in like manner as before the making of the ſaid recited act, any thing therein contained to the contrary notwithſtanding: and that the commiſſioners, appointed by or under the ſaid recited act from time to time, ſhall and may call upon and require ſuch body and bodies politick or corporate to cleanſe the ſame from time to time, and at all times hereafter; and in caſe of neglect or refuſal after forty eight hours notice thereof may cauſe the ſame to be cleanſed; and in caſe of ſo doing ſhall and may require and call upon ſuch body and bodies politick and corporate to reimburſe

11 & 12. G. 3. c. 13.

corporate bodies liable to cleanſe ſaid ſtreets as before ſaid act;

required by the commiſſioners from time to time;

and on neglect after 48 hours notice reimburſe the expence;

burſe and pay to them, or to their treaſurer or receiver for the time being, all ſuch coſts and expence as they may or ſhall be put to by reaſon thereof; and all and ſingular lands, tenements, tolls, tythes, or other poſſeſſions, incomes, profits, and emoluments held, enjoyed, and received by ſuch body or bodies politick or corporate, by the tenure whereof ſuch body or bodies is or are liable, ſhall be charged and chargeable with all ſuch coſts and expences, which ſhall and may be levied, recovered, and raiſed by and out of the revenue, profits, and produce of the ſame, by either of the four courts of law or equity in this kingdom, upon complaint to the judge or judges thereof reſpectively, who are impowered to hear and determine the ſame upon motion or petition in a ſummary way, and by order, rule, or decree to enforce ſuch judgment or determination therein as ſhall be juſt.

their lands and poſſeſſions, whereby liable, charged therewith,

levied thereout on ſummary complaint to 1 of the four courts.

V. And whereas by an act paſſed in the eleventh and twelfth years of his preſent Majeſty's reign, intitled, *An act for badging ſuch poor as ſhall be found unable to ſupport themſelves by labour, and otherwiſe providing for them, and for reſtraining ſuch as ſhall be found able to ſupport themſelves by labour and induſtry from begging*, corporations are created in every county at large, and every county of a city or town in this kingdom, who are thereby empowered to execute the powers and truſts therein particularly expreſſed: and whereas it would render the execution of ſaid act in the county of Waterford and county of the city of Waterford more eaſy and compleat, if the corporations inſtituted by ſaid act in ſaid county and county of ſaid city were impowered to unite and become one body corporate: be it therefore enacted by the authority aforeſaid, that from and after the firſt day of September in the year one thouſand ſeven hundred and eighty it ſhall and may be lawful to and for the ſaid reſpective corporations laſt mentioned to unite and become one aggregate corporation on ſuch terms and conditions, as they ſhall agree, and that they ſhall have full power conjunctively to do, execute, and perform within ſaid county at large, or within ſaid county of ſaid city aforeſaid, all and every ſuch act or acts, as each of them are now ſeverally empowered to do, execute, and perform within their reſpective county or county of ſaid city under the ſaid recited act aforeſaid.

11 & 12 G. 3. c. 30.

the corporations thereby for county and city of *Waterford* may unite and become one.

VI. Provided always, that nothing herein contained ſhall be conſtrued, deemed, or taken to enable or impower the juſtices of the peace for ſaid county at large to act as ſuch within ſaid county of ſaid city, or the liberties thereof, any thing herein

Juſtices for the county not to act as ſuch for the city or liberties.

herein before contained to the contrary thereof in any wiſe notwithſtanding.

Preſentment at the reſpective ſpring aſſizes in the county and city levied as in ſaid act, handed over to the united corporation.

VII. And be it enacted by the authority aforeſaid, That the grand juries of ſaid county at large, and the county of ſaid city, at their reſpective ſpring aſſizes to be held in the ſaid county and county of the ſaid city reſpectively be empowered and required to preſent ſuch ſum or ſums to be levied in the manner as in the ſaid act mentioned; and alſo that they be further empowered to hand over ſuch portion of the money collected under any ſuch future preſentment or preſentments to the ſaid united corporation, or their treaſurer, to be applied to the uſes of the ſaid corporation.

11 & 12 G. 3. c. 30. extending only to counties and counties of cities and towns,

VIII. And whereas the ſaid act paſſed in the eleventh and twelfth years of his preſent Majeſty's reign, entitled, *An act for badging ſuch poor as ſhall be found unable to ſupport themſelves by labour, and otherwiſe providing for them, and for reſtraining ſuch as ſhall be found able to ſupport themſelves by labour and induſtry from begging*, extends only to the creating of corporations for the purpoſes of the ſaid act within counties at large, or in counties of cities, or counties of towns in this kingdom: and whereas the town of Liſburn in the county of Antrim is a populous town, and the ſaid town and pariſh thereof contain as many inhabitants as ſeveral of the cities or counties of towns in this kingdom, but not being a county within itſelf, cannot have the benefit of the ſaid law in as ample and full a manner, as is found neceſſary: and whereas the inhabitants of the ſaid town and pariſh of Liſburn have by voluntary ſubſcriptions and contributions raiſed a ſum of money for the ſupport of the poor within the ſaid town and pariſh: and whereas the ſaid inhabitants are deſirous, that a body corporate ſhould be formed, and to continue for ever, for the better carrying into execution (under proper regulations) the charitable and humane deſign of maintaining the poor of ſaid town and pariſh: be it enacted by the authority aforeſaid, That from and after the firſt day of September one thouſand ſeven hundred and eighty, the right honourable earl of Hertford, the right reverend lord biſhop of Down and Connor, the ſeneſchal of the ſaid town of Liſburn, and his ſucceſſors, the repreſentatives in Parliament for the ſaid town, and the rector, curate, and church-wardens of the ſaid pariſh, and the miniſter of the congregation of proteſtant diſſenters in the ſaid town of Liſburn, all for the time being, and Edward Obre, William Watts Gayer, John Hunter, and William Rogers, eſquires, and ſuch other perſons as ſhall contribute to ſuch charity

a body corporate eſtabliſhed for Liſburn, for the charitable purpoſes, for ever,

A. D. 1779-80. Chap. 15.

rity as hereafter mentioned, ſhall for ever hereafter be in name and fact one body corporate in law for the charitable purpoſes aforeſaid, and ſhall have perpetual ſucceſſion, and be called and diſtinguiſhed by the name of the preſident and aſſiſtants of the Liſburn Charitable Society, and that the ſeneſchal of the ſaid town for the time being, ſhall be and continue preſident during his ſeneſchalſhip; and that the ſaid preſident and his aſſiſtants ſhall be enable to plead and ſue, and to be impleaded and ſued, by that name in all his Majeſty's courts of juſtice, and ſhall and may appoint a common ſeal or ſeals for the uſe of the ſaid corporation, and ſhall have power and authority to meet together as often as there ſhall be occaſion; and the ſaid preſident and his aſſiſtants, and their ſucceſſors, or any five or more of them, being ſo aſſembled, ſhall have power to make ſuch reaſonable laws, rules, orders, and regulations, for the better government of the poor and poor houſe, as they ſhall think neceſſary and convenient, and to revoke and alter the ſame at their diſcretion; and that it ſhall and may be lawful for the ſaid preſident and aſſiſtants to make ſuch and the like bye laws and regulations, and to exerciſe ſuch and the like powers with reſpect to the poor and all idle and ſturdy beggars within the ſaid town and pariſh of Liſburn, as the corporations created by virtue of the ſaid recited act within counties at large, and counties of cities, and counties of towns are enabled to do.

named,

ſeneſchal preſident,

5 may make rules for government of the poor and poor houſe,

revoke and alter,

bye laws and like powers as the corporations by ſaid act.

Subſcribing 3 guineas a member for 1 year.

IX. And be it further enacted by the authority aforeſaid, That every perſon, who ſhall ſubſcribe and pay the ſum of three guineas to the ſaid preſident and aſſiſtants of the Liſburn charitable ſociety for the ſupport and maintenance of the poor of the ſaid town, ſhall from thenceforth be and continue for the ſpace of one entire year a member thereof to all intents and purpoſes, as fully and effectually as any of the perſons herein before named.

Preſident to appoint meeting,

X. And be it further enacted by the authority aforeſaid, That the ſaid corporation ſhall for the firſt time hold a meeting on the ſecond day of October next at the market houſe of the ſaid town of Liſburn; and that it ſhall and may be lawful for them afterwards to meet at and adjourn to ſuch times and places within the ſaid town and pariſh, as the preſident ſhall from time to time think fit to appoint by reaſonable ſummons, and to adjourn ſuch meeting from time to time as the members then preſent, or the greater part thereof, ſhall ſee occaſion; and in caſe the preſident ſhall not attend, that they ſhall and may have power to appoint

adjourned by the majority,

on preſident's abſence member appointed.

ſuch

ſuch other member of their corporation to preſide and act in his place and ſtead at ſuch meeting, as they may judge proper. A. D. 1779-80.

CHAP. XVI.

An Act for the better Accommodation and Regulation of His Majeſty's Army in this Kingdom.

Repealed 21 & 22 G. 3. c. 43.

WHEREAS by an act paſſed in the ſixth year of the reign of Queen Anne, entitled, *An act to prevent the diſorders that may happen by the marching of ſoldiers, and providing carriages for the baggage of ſoldiers in their march*, it is among other things enacted and declared, that no officer, ſoldier, or trooper in his Majeſty's army, nor the ſervant of any officer, nor any attendant on the train of artillery, nor any yeoman of the guard of battle-axes, nor any officer commanding the ſaid yeoman, nor any ſervant of any ſuch officer, ſhall at any time hereafter have, receive, or be allowed any quarters in any part of this kingdom, ſave only during ſuch time or times as he or they ſhall be on their march as aforeſaid, or during ſuch time as he or they ſhall be and remain in ſome ſea port town in order to be tranſported, or during ſuch time as there ſhall be any commotion in any part of this kingdom, by reaſon of which emergency her Majeſty's army, or any conſiderable part thereof, ſhall be commanded to march from one part of this kingdom to another: and whereas the barracks in this kingdom are not at preſent ſufficient to lodge all the forces upon its military eſtabliſhment: and whereas it may be neceſſary to ſtation part of the troops in places, where there are no barracks, or not ſufficient barracks to hold them: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful in ſuch caſes notwithſtanding the ſaid recited act to and for the conſtables, and other chief officers and magiſtrates of cities, towns, and villages, and other places within this kingdom, and in their default or abſence for any one juſtice of the peace inhabiting in or near any ſuch city, town, village, or place, and for no others, and ſuch conſtables, and other chief magiſtrates as aforeſaid, are

A. D. 1779-80. Chap. 16.

hereby required to quarter and billet the officers and ſoldiers in his Majeſty's ſervice in inns, livery ſtables, ale-houſes, victualling houſes, and the houſes of ſellers of wine by retail, to be drank in their own houſes or places thereunto belonging, and all houſes of perſons ſelling brandy, ſtrong waters, cyder, or metheglin by retail, and where there ſhall not be found ſufficient room in ſuch houſes, then in ſuch manner as has been heretofore cuſtomary; nor ſhall any more billets at any time be ordered, than there are effective ſoldiers preſent to be quartered; all which billets, when made out by ſuch chief magiſtrates or conſtables, ſhall be delivered into the hands of the commanding officer preſent: and if any conſtable, or ſuch like officer or magiſtrate as aforeſaid, ſhall preſume to quarter or billet any ſuch officer or ſoldier in any houſe, not within the meaning of this act, without the conſent of the owner or occupier, then ſuch owner or occupier ſhall have his or their remedy at law againſt ſuch magiſtrate or officer for the damage that ſuch owner or occupier ſhall ſuſtain thereby; and if any military officer ſhall take upon him to quarter ſoldiers otherwiſe, than is limited and allowed by this act, or ſhall uſe or offer any menace or compulſion to or upon any mayors, conſtables, or other civil officers before mentioned, tending to deter and diſcourage any of them from performing any part of their duty hereby required or appointed, ſuch military officer ſhall for every ſuch offence, being thereof convicted before any two or more of the next juſtices of the peace of the county by the oath of two credible witneſſes, be deemed and taken to be *ipſo facto* caſhiered, and ſhall be utterly diſabled to have or hold any military employment within this kingdom; provided the ſaid conviction be affirmed at the next aſſizes or quarter ſeſſions of the peace for the ſaid county, or county of a city, and a certificate thereof tranſmitted to the judge advocate, who is hereby obliged to certify the ſame to the next court martial; and in caſe any perſon ſhall find himſelf aggrieved, in that ſuch conſtable, chief officer, or magiſtrate, ſuch chief officer or magiſtrate not being a juſtice of the peace, has quartered or billetted in his houſe a greater number of ſoldiers, than he ought to bear in proportion to his neighbours, and ſhall complain thereof to one or more juſtice or juſtices of the peace of the diviſion, city, or liberty, where ſuch ſoldiers are quartered; or in caſe ſuch chief officer or magiſtrate ſhall be a juſtice of the peace, then on complaint made to two or more juſtices of the peace of ſuch diviſion, city, or liberty, ſuch juſtices reſpectively ſhall have and have hereby power to relieve ſuch perſon by ordering ſuch and ſo many of the ſoldiers to be removed, and quartered upon ſuch other perſon or perſons, as they ſhall

ſee cauſe, and ſuch other perſon or perſons ſhall be obliged to receive ſuch ſoldiers accordingly.

II. And whereas great inconvenience happens from the billetting of ſoldiers ſingly; be it therefore enacted by the authority aforeſaid, That at no time hereafter a leſs number than two men ſhall be billetted in any one houſe, and ſuch billets may be changed once every month, if thought neceſſary by the chief magiſtrate, to prevent any burthen thereby ariſing from falling heavy on particular individuals.

III. And that the quarters both of officers and ſoldiers in this kingdom may hereafter be duly paid and ſatisfied, his Majeſty's duties of exciſe better anſwered, and that the owners of houſes, on whom ſoldiers and officers ſhall be billetted, may be encouraged to provide good and proper accommodation for ſuch officers, ſoldiers, and their horſes, be it enacted by the authority aforeſaid, that except during ſuch times as the troops ſhall be on their march, or during ſuch times as there ſhall be any commotion in any part of this kingdom, or during ſuch times as recruits or recruiting parties remain ſeparated from their regiments and employed in the recruiting ſervice, payment ſhall be made for each officer and ſoldier, during the time he or they ſhall occupy ſuch billet, at the following weekly rates, *viz.* in Dublin for each field officer and captain eight ſhillings; for each ſubaltern officer ſeven ſhillings; for each ſerjeant of dragoons or foot, or corporal of horſe, one ſhilling and one penny; for each trooper, dragoon, or foot ſoldier, ſix pence halfpenny; in the country for each field officer or captain five ſhillings; for each ſubaltern officer three ſhillings and ſix pence; for each ſerjeant of dragoons or foot, or corporal of horſe, one ſhilling; for each trooper, dragoon, or foot ſoldier ſix pence. The payment of the officer's lodging to be made by the officers themſelves in the preſent accuſtomed manner. The payment of the men's lodging to be made monthly by the commanding officer of each corps in each quarter, in conſequence of money ſent them for that purpoſe by their ſeveral regimental agents; and in order to enable the agents to remit ſuch money ſuch ſums ſhall be advanced to them, as ſhall be neceſſary, for which the regiments ſhall be accountable, and which ſums ſhall be accounted for in the uſual manner; and as an encouragement to provide proper and ſufficient ſtabling for the horſes ſo billetted, four pence *per* week ſhall be paid to the owners of ſtables for each horſe, during the time each ſhall remain, in ſuch manner and under ſuch circumſtances as the quarters of the men are paid,

A. D. 1779-80. Chap. 16.

and in case of any troop or company being suddenly ordered to march, and that the respective commanding officers are not enabled to make payment of the sums due for the lodging of the men and horses, every such commanding officer shall before his departure make up the accounts with every person, with whom such troop or company may have been quartered, and sign a certificate thereof; which account and certificate shall be transmitted to the agent of the regiment, that immediate payment may be procured in the accustomed manner.

IV. And as very great detriment and inconvenience arises to the service from the dispersing and billetting of soldiers when on a march at a great distance from the place or places, where they are meant to be quartered, contrary to the true intent and meaning of the said last recited act, and by reason of which they are placed wide of their intended route for the next day's march: be it enacted by the authority aforesaid, that at no time, when troops are on a march, shall any of them be billetted above one mile from the place or places mentioned in the route.

V. And whereas great inconveniencies have arisen and may arise in such places where horse or dragoons are or may be quartered, by the billetting of the men and their horses at different houses, and often at great distances from one another, contrary to the true intent and meaning of this act; be it enacted by the authority aforesaid; That in all places, where horse or dragoons shall be quartered or billetted in pursuance of this act, for the future the men and their horses shall be billetted in one and the same house, except in case of necessity; and that in no other case whatsoever there be less than one man billetted, where there shall be one or two horses, nor less than two men where shall be four horses, and so in proportion for a greater number, and in such case each man shall be billetted as near his horse as possible.

VI. And whereas some doubts may arise, whether commanding officers of any regiment, troop, or company, may exchange any men or horses quartered in any town or place with another man or horse quartered in the same place for the benefit of the service: be it declared and enacted by the authority aforesaid, That such exchange as above mentioned may be made by such commanding officers respectively, provided the number of men or horses do not exceed the number at that time billetted on such house or houses; and the constables and other chief officers and magistrates of the cities, towns, and villages, or other places where any regi-

ment,

ment, troop, or company ſhall be quartered, are hereby required to billet ſuch men and horſes ſo exchanged accordingly.

VII. And whereas an act of Parliament paſſed in this kingdom in the ſixth year of the reign of her late Majeſty queen Anne, entitled, *An act to prevent the diſorders that may happen by the marching of ſoldiers, and for providing carriages for the baggage of ſoldiers in their march*; and by one other act of Parliament made in this kingdom in the third year of the reign of his late Majeſty King George the ſecond, entitled, *An act for explaining and amending an act to prevent the diſorders that may happen by the marching of ſoldiers, and for providing carriages for the baggage of ſoldiers in their march*; and alſo by one other act of Parliament made in this kingdom in the ſeventh year of the reign of his preſent Majeſty King George the third, entitled, *An act for the further explaining and amending an act*, entitled, *An act to prevent the diſorders that may happen by the marching of ſoldiers, and for providing carriages for the baggage of ſoldiers in their march*, certain ſums of money were directed to be paid to the owners of carriages for the baggage of ſoldiers in their march: and whereas the rates directed to be paid by ſaid recited acts are not a ſufficient ſatisfaction to the owners of ſuch carriages: be it enacted by the authority aforeſaid, That from and after the paſſing of this act no perſon or perſons whatſoever ſhall be compelled to take any loading, or be forced to proceed in any march with his or their carriage or carriages, until ſuch time as the officer or other perſon, who ſhall require ſuch carriage or carriages, ſhall pay down in hand to the owner or owners of ſuch carriage or carriages, his or their ſervant or ſervants, the ſum herein after mentioned, that is to ſay, for every hundred weight which the owner or owners of any wheel carriage or carriages ſhall take as loading on ſuch wheel carriage or carriages the ſum of one halfpenny for every mile, or reputed mile, he or they ſhall march with his or their carriage or carriages purſuant to ſaid recited acts; which ſum or ſums, ſo to be advanced and paid by ſuch officer or other perſon as aforeſaid, ſhall be repaid to ſuch officer or other perſon paying the ſame by the vice treaſurer of this kingdom for the time being without fee or reward, on performing the requiſites preſcribed by ſaid recited acts.

VIII. Provided always, and be it further enacted by the authority aforeſaid, That the owner or owners of ſuch carriage or carriages ſhall not be compelled or obliged to proceed with ſuch carriage or carriages under the ſum of three pence per mile, or reputed mile at the leaſt, in caſe he or they ſhall be required to carry a

leſs weight on ſuch carriage or carriages than ſix hundred weight for each carriage.

IX. Provided always, That ſuch owner or owners ſhall not be obliged againſt his or their conſent to carry on any one carriage a greater weight than ſix hundred weight; and if he or they ſhall conſent to carry on any carriage a greater weight than ſix hundred weight, he or they ſhall be allowed and paid at the rate of one halfpenny *per* mile for every hundred above the weight of ſix hundred put upon ſuch carriage.

X And be it further enacted by the authority aforeſaid, That the owner or owners of ſuch carriage or carriages ſhall not be compelled or obliged to take any loading, until the ſame ſhall be firſt duly weighed at the expence of the owner or owners of ſuch carriage or carriages, if he or they ſhall think fit, and the ſame can be done in a reaſonable time, without let or hindrance to his Majeſty's ſervice.

XI. And be it further enacted by the authority aforeſaid, That all and every the clauſes, powers, and authorities contained in the ſaid recited acts, other than ſuch clauſes and parts thereof as are hereby repealed and altered, ſhall remain in force, and ſhall be executed, obſerved, and performed, according to the true intent and meaning of the ſaid acts.

XII. And be it enacted by the authority aforeſaid, That his Majeſty's army within this kingdom ſhall be governed by ſuch articles of war, as have been already or ſhall be made by him for the government of all his forces; and that all offences againſt the ſame ſhall be tried and determined by courts martial to be held by virtue of commiſſions from his Majeſty, impowering the lord lieutenant, or other chief governor or governors of this kingdom for the time being, to appoint general courts martial from time to time within the ſame, as well as to direct his or their warrant or warrants to any general officer having the chief command of a body of forces within this kingdom, authorizing him to convene general courts martial, as occaſion may require, for the trial of offences committed by any of the forces under his command, ſuch general courts martial to be conſtituted and their proceedings regulated according to the ſeveral proviſions, which are or ſhall be ſpecified in ſuch articles of war.

XIII. Provided always, That no perſon or perſons ſhall be adjudged to ſuffer any puniſhment extending to life or limb for any offence not at preſent expreſſed in ſuch articles.

XIV. And provided alſo, That every member of ſuch court-martial ſhall take the oath following.

I A. B. *do ſwear, that I will duly adminiſter juſtice according to the rules and articles for the better government of his Majeſty's forces, without partiality, favour, or affection, and if any doubt ſhall ariſe, which is not explained in ſaid articles, according to my conſcience, the beſt of my underſtanding, and the cuſtom of war in the like caſes. And I further ſwear, that I will not divulge the ſentence of the court, until it ſhall be approved by his Majeſty, or by ſome perſon duly authorized by him; neither will I upon any account at any time whatſoever diſcloſe or diſcover the vote or opinion of any particular member of the court martial, unleſs required to give evidence thereof as a witneſs by a court of juſtice in a due courſe of law.*

So help me God.

XV. Provided always, That the party tried by any general court-martial ſhall be entitled to a copy of the ſentence and proceedings of ſuch court-martial upon demand thereof made by himſelf, or by any other perſon or perſons on his behalf, (he or they paying reaſonably for the ſame,) at any time not ſooner than three months after ſuch ſentence.

XVI. Provided always, and be it further enacted by the authority aforeſaid, That every judge advocate, or perſon officiating as ſuch at any general court-martial, do and he is hereby required to tranſmit with as much expedition, as the opportunity of time and diſtance of place can admit, the original proceedings and ſentence of ſuch court-martial to the chief ſecretary of the lord lieutenant, or other chief governor or governors of the kingdom of Ireland, to be laid before him or them, and when the determination ſhall have been made upon the ſentence therein contained, to be lodged with the judge advocate general in Dublin, to the end that the perſon intitled thereto may be enabled upon application to the ſaid office to obtain copies thereof according to the true intent and meaning of this act.

XVII. Provided alſo, and be it further enacted and declared by the authority aforeſaid, That none of the proceedings of any general or regimental court-martial, nor any entry or copy thereof, ſhall be charged or chargeable with any ſtamp duty whatſoever; any thing contained in any law to the contrary notwithſtanding.

XVIII. Provided always, and be it further enacted by the authority aforeſaid, That no officer or ſoldier, having been acquitted or convicted of any offence, be liable to be tried a ſecond time by the ſame or any other court-martial for the ſame offence, unleſs in the caſe of an appeal from a regimental to a general court-martial; and that no ſentence given by any court-martial, and ſigned by the preſident thereof, be liable to be reviſed more than once.

XIX. Provided always, That nothing in this act contained ſhall extend or be conſtrued to exempt any officer or ſoldier whatſoever from being proceeded againſt by the ordinary courſe of law.

XX. And for preventing of fraud and deceit in the muſtering of ſoldiers, be it further enacted by the authority aforeſaid, That if any perſon do make or give, or procure to be made or given, any falſe or untrue certificate, whereby to excuſe any ſoldier for his abſence from any muſter, or any other ſervice which he ought to attend or perform, upon pretence of being employed upon ſome other duty of the regiment, or of ſickneſs, being in priſon, or on furlough, then every ſuch perſon ſo making, giving, or procuring ſuch certificate, ſhall for every ſuch offence forfeit the ſum of fifty pounds, and ſhall be forthwith caſhiered and diſplaced from his office, and ſhall be thereby utterly diſabled to have or hold any military office or employment within this realm; and no certificate ſhall excuſe the abſence of any ſoldier but for the reaſons above mentioned, or one of them; and the commiſſary of the muſters is hereby directed to ſet down on the roll at the time of taking the muſter the reaſon of the abſence of ſuch ſoldier reſpectively, and by whom certified, and not to ſet down any ſuch excuſe without view of ſuch certificate.

XXI. And be it further enacted by the authority aforeſaid, That every officer, that ſhall make any falſe or untrue muſter of man or horſe, and every commiſſary, muſter maſter, or other officer, who ſhall wittingly or willingly allow or ſign the muſter roll, wherein ſuch falſe muſter is contained, or any duplicate thereof, and alſo every commiſſary, muſter maſter, or other officer, who ſhall directly or indirectly take or cauſe to be taken any ſum or ſums of money, or any gratuity, on or for the muſtering any regiment, troop, company, on or for the ſigning of any muſter roll, or any duplicate thereof, upon proof thereof upon oath made by two witneſſes before a general court martial to be thereupon called (which is hereby authorized and required to adminiſter ſuch oath) ſhall for ſuch offence be forthwith caſhiered and diſplaced from ſuch office, and ſhall be thereby utterly

terly disabled to have or hold any civil or military office or employment within this kingdom.

XXII. And be it further enacted by the authority aforesaid, That every commissary, or muster master, upon any muster to be made, had, or taken by him or them, shall, by a convenient time before such muster made, give notice to the mayor or chief magistrate, or officer of the place, where the said soldiers so to be mustered shall be quartered, who is hereby required to be present at every such muster, and give his utmost assistance for the discovering any false or untrue muster there made or offered to be made; and that every such commissary or muster master making or taking such muster, that shall neglect to give such notice as aforesaid, or shall refuse to take the aid and assistance of such mayor, chief magistrate, or officer, where the soldiers to be mustered shall be quartered, shall forfeit the sum of fifty pounds, and be discharged from his office; and no muster roll shall be allowed, unless the same be signed by the said mayor, or other chief magistrate or officer respectively; but in case such mayor, chief magistrate or officer, shall not upon due notice given attend such muster, or shall refuse to sign such muster roll, without giving good sufficient reasons for such his refusal, that then the commissary may proceed to muster such regiment, troop, or company, without incurring the said penalty; and such muster roll shall be allowed, though not signed as aforesaid; provided that oath be made before any of his Majesty's justices of the peace within forty eight hours after such muster, and the said muster roll shall then be produced and examined by the said justice of the peace, who is hereby required to sign the same, if there shall appear to be no good or sufficient objection to the same.

XXIII. And be it further enacted by the authority aforesaid, That if any person shall be falsely mustered, or offer himself falsely or deceitfully to be mustered, upon proof thereof made upon oath by two witnesses before the next justice of the peace for the county, where such muster shall be made, and upon certificate thereof in writing under the hand of the commissary as aforesaid, made to such justice of the peace, the said justice is hereby authorized and empowered to commit such offender to the house of correction, there to remain for the space of ten days; and if any person shall wittingly or willingly lend or furnish any horse to be mustered, which shall not truly belong to the trooper so mustered, the said horse so falsely mustered shall be forfeited to the informer, if the same doth belong to the person lending

A. D. 1779-80. Chap. 16.

or furniſhing the ſaid horſe, or otherwiſe, the perſon furniſhing or lending the ſaid horſe ſhall forfeit the ſum of twenty pounds, upon oath made by two witneſſes before the next juſtice of the peace, which twenty pounds ſhall be levied by warrant under the hand and ſeal of the ſaid juſtice by diſtreſs and ſale of the goods and chattles of the perſon ſo offending, rendering the overplus (if any be) to the owner; and in caſe ſuch offender ſhall not have ſufficient goods and chattles, whereon diſtreſs may be made, to the value of the penalty to be recovered againſt him, or ſhall not pay ſuch penalty within four days after ſuch conviction, then and in ſuch caſe the juſtice of the peace ſhall and may by warrant under his hand and ſeal commit ſuch offender to the common goal, there to remain without bail or mainprize for the ſpace of three months, or cauſe ſuch offender to be publickly whipped at the diſcretion of ſuch juſtice; and the ſaid forfeiture ſhall be to ſuch perſon or perſons, that ſhall give information thereof, and the ſaid informer or informers if belonging to the ſervice ſhall have a right to be diſcharged forthwith, if he or they ſhall demand the ſame.

XXIV. And be it further enacted by the authority aforeſaid, That every commiſſion officer, ſtore keeper, or commiſſary, that ſhall embezzle or miſapply, or cauſe to be embezzled or miſapplied, or ſhall wilfully or through neglect ſuffer any proviſions, forage, arms, cloathing, ammunition, or other military ſtores to be ſpoiled or damaged, upon proof thereof upon oath made by two witneſſes before a general court martial (which is hereby authorized and required to adminiſter ſuch oath) ſhall be forthwith diſmiſſed his Majeſty's ſervice, and forfeit the ſum of one hundred pounds, and is hereby required to make good at his own expence the loſs and damage thereby ſuſtained, to be aſcertained by ſuch court martial, which ſhall have power to ſeize the goods and chattles of the perſon ſo offending, and ſell them for the payment of ſaid one hundred pounds, and ſuch damage; and if ſufficient goods and chattles cannot be found and ſeized, then the perſon ſo offending ſhall be committed to priſon or the common gaol, to remain ſix months without bail or mainprize, and until he ſhall pay ſuch deficiency; and after the ſaid ſum ſhall be recovered and levied, the ſame ſhall be applied and diſpoſed, as his Majeſty ſhall direct and appoint.

XXV. And be it further enacted by the authority aforeſaid, That every commiſſary of the muſters, or muſter maſter making or taking a muſter, do make oath before the mayor or chief magiſtrate attending

the making or taking ſuch muſter as aforeſaid, if ſuch mayor or chief magiſtrate ſo attending be a juſtice of the peace, or otherwiſe before ſome other juſtice of the peace for the county where ſuch muſter ſhall be taken, (who is hereby authorized and required to adminiſter the ſame without fee or reward) in manner and form following:

I A. B. do ſwear, that I ſaw at the time of taking the within muſter ſuch men or horſes, as are borne and not reſpited on the muſter roll, for which men or horſes a ſigned certificate or certificates are not endorſed on the back of the roll, certifying their being abſent from the muſter by reaſon of being employed on ſome other duty of the regiment, or being ſick, in priſon, or furlough, or at graſs, or by a written leave, ſigned by the colonel or field officer, or officer commanding the regiment, troop, or company.

which oath the ſaid commiſſary or muſter maſter is hereby directed to inſert and ſubſcribe on the back of the muſter roll by him tranſmitted into the office of the commiſſary general of the muſters.

XXVI. And be it further enacted by the authority aforeſaid, That if any paymaſter, agent, or clerk of any garriſon, regiment, or company, ſhall wilfully detain or withhold by the ſpace of one month the pay of any officer or ſoldier, (cloaths and all other juſt allowances being deducted) after ſuch pay ſhall be by him or them received, or if any officer, having received their ſoldiers pay, ſhall refuſe to pay each reſpective non-commiſſion officer and ſoldier their reſpective pay, when it ſhall become due, according to the ſeveral rates eſtabliſhed by order of government, then upon proof thereof before a court martial as aforeſaid to be held and ſummoned, every ſuch paymaſter, agent, clerk, or officer ſo offending, ſhall be diſcharged from his employment, and ſhall forfeit to the informer upon conviction before the ſaid court one hundred pounds, to be levied as aforeſaid; and the informer (if a ſoldier) if he demands it, ſhall be and is hereby diſcharged from any further ſervice; any thing contained in this act to the contrary notwithſtanding. And that a true and regular account may be kept and rendered by the agents of the ſeveral regiments and independent troops and companies, the ſaid agents are hereby required and directed to obſerve ſuch orders and directions, as ſhall from time to time be given by his Majeſty under his ſign manual, or by his Majeſty's chief governor or governors of this kingdom; and if any agent ſhall refuſe or neglect to obſerve and comply with ſuch orders and directions, he ſhall be diſcharged from

A. D. 1779-80. Chap. 16.

his office, and be utterly disabled to have or hold any such office in his Majesty's service in this kingdom.

XXVII. And be it further enacted by the authority aforesaid, That if any officer or commissary shall muster any person by a wrong name knowingly, upon conviction thereof before a general court martial the said officer or commissary shall suffer such penalty, and in such manner, as is directed and inflicted by this act upon those, who shall make false musters.

XXVIII. And be it further enacted by the authority aforesaid, That every non-commission officer, who shall be convicted at a general regimental court martial of having embezzled or misapplied any money, with which he may have been intrusted for the payment of the men under his command, or for enlisting men into his Majesty's service, shall be reduced to serve in the ranks as a private soldier, and be put under stoppages, until the money be made good, and suffer such corporal punishment (not extending to life or limb) as the court martial shall think fit.

XXIX. And whereas soldiers being duly listed do afterwards desert, and are often found wandering or otherwise absenting themselves illegally from his Majesty's service: be it further enacted by the authority aforesaid, that it shall and may be lawful to and for the constable of the town or place, where any person, who may be reasonably suspected to be such a deserter, shall be found, to apprehend or cause him to be apprehended, and to cause such person to be brought before any justice of the peace living in or near such town or place, who hath hereby power to examine such respective person; and if by his confession, or the testimony of one or more witness or witnesses upon oath, or by the knowledge of said justice of the peace, it shall appear or be found, that such suspected person is a listed soldier, and ought to be with the troop or company, to which he belongs, such justice of the peace shall forthwith cause him to be conveyed to the gaol of the county or place, where he shall be found, or to the house of correction, or other publick prison in such town or place, where such deserter shall be apprehended, or to the provost, in case such deserter shall be apprehended in the city of Dublin or places adjacent, and transmit an account thereof to the chief secretary of the lord lieutenant, or other chief governor or governors for the time being, to the end such person may be proceeded against according to law: and the keeper of such gaol, house of correction, or prison,

priſon, ſhall receive the full ſubſiſtence of ſuch deſerter or deſerters, during the time that he or they ſhall continue in ſuch cuſtody, for the maintenance of the ſaid deſerter or deſerters, but ſhall not be entitled to any fee or reward on account of the impriſonment of ſuch deſerter or deſerters; any law, uſage, or cuſtom to the contrary notwithſtanding.

XXX. And for the better encouragement of any perſon or perſons to ſecure or apprehend ſuch deſerter as aforeſaid, be it further enacted by the authority aforeſaid, That ſuch juſtice of the peace ſhall iſſue his warrant in writing to the collector or collectors of his Majeſty's revenue in the diſtrict, where ſuch deſerter ſhall be apprehended, for paying out of the revenue by him collected into the hands of ſuch perſon, who ſhall apprehend or cauſe to be apprehended any deſerter from his Majeſty's ſervice, the ſum of twenty ſhillings for every ſuch deſerter that ſhall be ſo apprehended and committed; which ſum of twenty ſhillings ſhall be ſatisfied by ſuch collector or collectors, to whom ſuch warrant ſhall be directed, and allowed upon his account.

XXXI. Provided always, that if any perſon ſhall harbour, conceal, or aſſiſt any deſerter from his Majeſty's ſervice, knowing him to be ſuch, the perſon ſo offending ſhall forfeit for every ſuch offence the ſum of five pounds; or if any perſon ſhall knowingly detain, buy, or exchange, or otherwiſe receive any arms, cloaths, caps, or other furniture belonging to the King, from any ſoldier, or deſerter, or any other perſon, upon any account or pretence whatſoever, or cauſe the colour of ſuch cloaths to be exchanged, the perſon ſo offending ſhall forfeit for every ſuch offence the ſum of five pounds; and upon conviction by the oath of one or more credible witneſs or witneſſes before any of his Majeſty's juſtices of the peace the ſaid reſpective penalties of five pounds, and five pounds ſhall be levied by warrant under the hands of the ſaid juſtice or juſtices of the peace by diſtreſs and ſale of the goods and chattles of the offender; one moiety of the ſaid firſt mentioned penalty of five pounds to be paid to the informer, by whoſe means ſuch deſerter ſhall be apprehended; and one moiety of the ſaid laſt mentioned penalty of five pounds to be paid to the informer; and the reſidue of the ſaid reſpective penalties to be paid to the officer to whom any ſuch deſerter or ſoldier did belong: and in caſe any ſuch offender, who ſhall be convicted as aforeſaid of harbouring or aſſiſting any ſuch deſerter or deſerters, or having knowingly received any arms, cloaths, caps, or any other furniture belonging to the King; or having cauſed the colour of

A. D. 1779-80. Chap. 16.

ſuch cloaths to be exchanged, contrary to the intent of this act, ſhall not have ſufficient goods and chattles, whereon diſtreſs may be made, to the value of the penalties recovered againſt him for ſuch offence, or ſhall not pay ſuch penalties within four days after ſuch conviction; then and in ſuch caſe ſuch juſtice of the peace ſhall and may by warrant under his hand and ſeal either commit ſuch offender to the common gaol, there to remain without bail or mainprize for the ſpace of three months, or cauſe ſuch offender to be publickly whipped, at the diſcretion of ſuch juſtice.

XXXII. Provided always, That no commiſſion officer ſhall break open any houſe to ſearch for deſerters without warrant from a juſtice of the peace; and that every commiſſion officer, who ſhall without warrant from one or more of his Majeſty's juſtices of the peace, (which ſaid warrants the ſaid juſtice or juſtices are hereby impowered to grant) forcibly enter into or break open the dwelling houſe or out houſes of any perſon whatſoever under pretence of ſearching for deſerters, ſhall upon due proof thereof forfeit the ſum of twenty pounds.

XXXIII. Provided alſo, and be it further enacted by the authority aforeſaid, That if any officer or ſoldier ſhall in any of his Majeſty's dominions beyond the ſeas, or elſewhere out of this kingdom, deſert from the corps to which he belongs, and come into this kingdom without the licence of his Majeſty, or the commanding officer of the ſaid corps, before he be tried by a court martial for ſuch offence, it ſhall and may be lawful to and for any of his Majeſty's juſtices of the peace in this kingdom, upon information to him given thereof upon oath, to iſſue his warrant for the apprehending any ſuch officer or ſoldier, and to commit him to any of his Majeſty's gaols in this kingdom, to the end that he may be tranſmitted to the corps to which he belongs, to be tried for the ſaid offence.

XXXIV. And be it enacted by the authority aforeſaid, That no perſon or perſons being acquitted or convicted of any capital crimes, violences, or offences by the civil magiſtrate, ſhall be liable to be puniſhed by a court martial for the ſame otherwiſe than by caſhiering.

XXXV. Provided alſo, That if any officer, non commiſſion officer or ſoldier, ſhall be accuſed of any capital crimes, or of any violence or offence againſt the perſon, eſtate, or property of any of his Majeſty's ſubjects, which is puniſhable by the known laws of the land, the commanding officer or officers of every regiment, troop, company, or party, is and are hereby re-

quired to uſe his utmoſt endeavours to deliver over ſuch accuſed perſon to the civil magiſtrate, and alſo to be aiding and aſſiſting to the officers of juſtice in the ſeizing and apprehending ſuch offender in order to bring him to trial; and if any ſuch commanding officer ſhall wilfully neglect or refuſe, upon application made to him for that purpoſe, to deliver over any ſuch accuſed perſon to the civil magiſtrate, or to be aiding or aſſiſting to the officers of juſtice in the apprehending ſuch offenders, every ſuch officer ſo offending, and being thereof convicted before any two or more juſtices of the peace for the county where the fact is committed, by the oath of two credible witneſſes, ſhall be deemed and taken to be *ipſo facto* caſhiered, and be utterly diſabled to have or hold any civil or military office or employment within this kingdom; provided the ſaid conviction be affirmed at the next aſſizes or quarter ſeſſions of the peace for the ſaid county, and a certificate thereof to be tranſmitted to the judge advocate, who is hereby obliged to certify the ſame to the next court-martial.

XXXVI. Provided always, and be it enacted by the authority aforeſaid, That every preſent and future paymaſter, agent, or clerk of any garriſon, regiment, troop, or company, who is or ſhall be liable to account with any of the executors and adminiſtrators of every officer or ſoldier for any of the pay of ſuch officer or ſoldier by him or them received, ſhall, on reaſonable demand made by ſuch executor or adminiſtrator, deliver a juſt and true account to any ſuch executor or adminiſtrator of ſuch ſum or ſums of money, as he or they ſhall have ſo reſpectively received for ſuch officer or ſoldier, and for which they ought ſo to account as aforeſaid, ſuch executor or adminiſtrator paying for the ſame, and ſhall account with ſuch executor or adminiſtrator for the ſame; and that every ſuch paymaſter, agent, or clerk of any garriſon, regiment, troop, or company offending herein, ſhall forfeit the ſum of one hundred pounds to any perſon or perſons, who ſhall inform and ſue for the ſame by action of debt, bill, plaint, or information in any court of record in Dublin, wherein no eſſoign, protection, wager of law, or more than one imparlance ſhall be allowed.

XXXVII. And be it further enacted by the authority aforeſaid, That if any action, bill, plaint, or ſuit, ſhall be brought againſt any perſon or perſons for any act, matter, or thing, which ſhall be done in purſuance of this act, that it ſhall and may be lawful to and for all and every perſon and perſons ſued as aforeſaid to plead thereunto the general iſſue, that he or they are not guilty, and to give ſuch ſpecial

A. D. 1779-80. Chap. 16.

matter in evidence to the jury which ſhall try the iſſue, which ſpecial matter being pleaded had been a good and ſufficient matter in law to have diſcharged the ſaid defendant or defendants of the treſpaſs or other matter laid to his or their charge; and if the verdict ſhall paſs with the ſaid defendant or defendants in any ſuch action, or the plaintiff or plaintiffs therein become nonſuit, or ſuffer any diſcontinuance thereof, that in every ſuch caſe the juſtice or juſtices, or ſuch other judge, before whom the ſaid matter ſhall be tried, ſhall by force and virtue of this act allow unto the defendant or defendants his or their treble coſts, which he or they ſhall have ſuſtained by reaſon of their wrongful vexation in defence of the ſaid action or ſuit, for which the ſaid defendant or defendants ſhall have the like remedy as in other caſes, where coſts by the laws of this realm are given to defendants.

XXXVIII. And be it further enacted by the authority aforeſaid, That every bill, plaint, action, or ſuit againſt any perſon or perſons for any act, matter, or thing, to be acted or done in purſuance of this act, or againſt any member or miniſter of a court martial in reſpect of any ſentence of ſuch court, or of any thing done by virtue or in purſuance of ſuch ſentence, ſhall be brought in ſome of the courts of record in Dublin, and in no other court whatſoever.

XXXIX. And be it enacted by the authority aforeſaid, That if any perſon or perſons whatſoever ſhall directly or indirectly perſuade, or procure, or endeavour to perſuade or procure any ſoldier or ſoldiers in the ſervice of his Majeſty, or of his heirs or ſucceſſors, to deſert, ſuch perſon or perſons ſo offending and being thereof lawfully convicted, ſhall forfeit the ſum of forty pounds to be recovered in any of the courts of record at Dublin.

XL. And to prevent as far as may be any unjuſt or fraudulent arreſts, that may be made upon ſoldiers, whereby his Majeſty and the publick may be deprived of their ſervice, be it further enacted by the authority aforeſaid, That no perſon whatſoever, who is or ſhall be liſted, or who ſhall liſt and enter himſelf as a volunteer in his Majeſty's ſervice as a ſoldier, ſhall be liable to be taken out of his Majeſty's ſervice by any proceſs or execution whatſoever, other than for ſome criminal matter, unleſs for a real debt, or other juſt cauſe of action, and unleſs before the taking out of ſuch proceſs or execution (not being for a criminal matter) the plaintiff or plaintiffs

tiffs therein, or ſome other perſon or perſons on his or their behalf, ſhall make affidavit before one or more judge or judges of the court of record, or other court out of which ſuch proceſs or execution ſhall iſſue, or before ſome perſon authorized to take affidavits in ſuch courts, that to his or their knowledge the original ſum juſtly due and owing to the plaintiff or plaintiffs from the defendant or defendants in the action or cauſe of action, on which ſuch proceſs ſhall iſſue, or the original debt for which ſuch execution ſhall be iſſued out, amounts to the value of twenty pounds at leaſt over and above all coſts of ſuit in the ſame action, or in any other action on which the ſame ſhall be grounded; a memorandum of which oath ſhall be marked on the back of ſuch proceſs or writ, for which memorandum or oath no fee ſhall be taken; and if any perſon ſhall nevertheleſs be arreſted contrary to the intent of this act, it ſhall and may be lawful for one or more of the judge or judges of ſuch court, upon complaint thereof made by the party himſelf or by any of his ſuperior officers, to examine into the ſame by the oath of the parties or otherwiſe, and by warrant under his or their hands and ſeals to diſcharge ſuch ſoldier ſo arreſted contrary to the intent of this act without paying any fee or fees, upon due proof made before him or them that ſuch ſoldier ſo arreſted was legally enliſted as a ſoldier in his Majeſty's ſervice, and arreſted contrary to the intent of this act; and alſo to award to the party ſo complaining ſuch coſts as ſuch judge or judges ſhall think reaſonable; for the recovery whereof he ſhall have the like remedy, that the perſon, who takes out ſaid execution, might have had for his coſts, or the plaintiff in the like action might have had for the recovery of his coſts, in caſe judgment had been given for him with coſts againſt the defendant in the ſaid action.

XLI. And to the end that honeſt creditors, who aim only at the recovery of their juſt debts due to them from perſons entered into and liſted in his Majeſty's ſervice, may not be hindered from ſuing for the ſame, but on the contrary may be aſſiſted and forwarded in their ſuits, and inſtead of an arreſt, which may at once hurt the ſervice and occaſion a great expence and delay to themſelves, may be enabled to proceed in a more ſpeedy and cheap method, be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any plaintiff or plaintiffs, upon notice firſt given in writing of the cauſe of action to ſuch perſon or perſons ſo entered, or left at his or their laſt place of reſidence before ſuch liſting, to file a common appearance in any action to be brought for or upon account of any debt whatſoever, ſo as to entitle ſuch plaintiff to proceed therein to judgment and outlawry, and to have an execution thereupon, other than againſt the

A. D. 1779-80. Chap. 16.

body or bodies of him or them ſo liſted as aforeſaid; this act or any thing herein, or any former law or ſtatute, to the contrary notwithſtanding.

XLII. And be it further enacted by the authority aforeſaid, That from the paſſing of this act no ſoldier being arreſted or confined for debt in any priſon, gaol, or other place, ſhall be entitled to any part of his pay from the day of ſuch arreſt or confinement until the day of his return to the regiment, troop, or company, to which he ſhall belong.

XLIII. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That from and after the paſſing of this act, when and as often as any perſon or perſons ſhall be enliſted as a ſoldier or ſoldiers in his Majeſty's land ſervice, he and they ſhall within four days, but not ſooner than twenty four hours, after ſuch enliſting reſpectively be carried before the next juſtice of the peace of any county, city, or place, or chief magiſtrate of any city or town corporate, not being an officer in the army, and before ſuch juſtice or chief magiſtrate, he or they ſhall be at liberty to declare his or their diſſent to ſuch enliſting; and upon ſuch declaration, and returning the enliſting money, and alſo the perſon ſo diſſenting paying the ſum of twenty ſhillings for the charges expended or laid out upon him, ſuch perſon or perſons ſhall be forthwith diſcharged and ſet at liberty in the preſence of ſuch juſtice or chief magiſtrate: but if ſuch perſon or perſons ſhall refuſe or neglect within the ſpace of twenty four hours to return and pay ſuch money as aforeſaid, he or they ſhall be deemed and taken to be enliſted, as if he or they had given his or their aſſent thereto before the ſaid juſtice or chief magiſtrate; or if ſuch perſon or perſons ſhall declare his or their having voluntarily enliſted himſelf or themſelves, then ſuch juſtice or chief magiſtrate ſhall and he is hereby required forthwith to certify under his hand, that ſuch perſon or perſons is or are duly enliſted, ſetting forth the place of the birth, age, and calling of him or them reſpectively, if known; and that the ſecond and ſixth ſections of the articles of war againſt mutiny and deſertion were read to him or them, and that he or they had taken the oath mentioned in the ſaid articles of war; and if any ſuch perſon or perſons, ſo to be certified as duly enliſted, ſhall refuſe to take the ſaid oath of fidelity before the ſaid juſtice or chief magiſtrate, it ſhall and may be lawful for ſuch officer, from whom he has received ſuch money as aforeſaid, to detain or confine ſuch perſon or perſons, until he or they ſhall take the oath before required; and every military officer, that ſhall act contrary hereto, or offend herein, ſhall be caſhiered.

XLIV. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall receive the enliſting money from any officer, knowing it to be ſuch, and ſhall abſcond or refuſe to go before ſuch juſtice or chief magiſtrate in order to declare his aſſent or diſſent as aforeſaid, ſuch perſon or perſons ſhall be deemed and taken to be enliſted to all intents and purpoſes whatſoever, and ſhall and may be proceeded againſt, as if he or they had taken the oath directed by the ſaid articles of war to be taken before ſuch juſtice or chief magiſtrate.

Receiving inliſting money knowing it, and abſconding, or refuſing to go and declare aſſent or diſſent, deemed inliſted, and proceeded againſt as if oath taken.

XLV. And be it further enacted by the authority aforeſaid, that the officers or perſons employed in the ſeveral trains of artillery be at all times ſubject to the penalties and puniſhments mentioned in this act, and ſhall in all reſpects whatſoever be holden to be within the intent and meaning of every part of this act.

Trains of artillery ſubject to and within intent of this act.

XLVI. And whereas it may be expedient in certain caſes, and particularly in ſuch matters wherein any of his Majeſty's marine forces may be intereſted, that officers of the marines ſhall be aſſociated with officers of the land forces for the purpoſe of holding courts martial: be it enacted and declared by the authority aforeſaid, that, when and as often as it may be neceſſary it ſhall and may be lawful for the officers of the land and marine forces to ſit in conjunction upon courts martial, and to proceed in the trial of any officer or ſoldier of the land forces in like manner to all intents and purpoſes, as if ſuch courts martial were compoſed of officers of the land forces only, and the officers of the land and marine forces are in ſuch caſes to take rank according to the ſeniority of their commiſſions in either ſervice.

Where neceſſary, officers of land and marine to ſit in conjunction on courts martial, to rank by ſeniority.

XLVII. And in order to prevent all doubts, that may ariſe in relation to puniſhing crimes and offences committed againſt any articles of war heretofore made by his Majeſty for the government of his forces, be it enacted by the authority aforeſaid, that all crimes and offences, which have been committed againſt any articles of war heretofore made by his Majeſty, ſhall and may be inquired of, heard, tried, and determined, adjudged and puniſhed, before and by the like courts, perſons, powers, authorities, ways, means, and methods, as the like crimes and offences, committed againſt the preſent articles of war made by his Majeſty, may be inquired of, heard, tried, determined, adjudged, and puniſhed.

Offences againſt articles of war heretofore tried and puniſhed as againſt the preſent.

XLVIII. Provided always, that no perſon ſhall be liable to be tried and puniſhed for any offence againſt any of the ſaid articles of war, which ſhall appear to have been committed more than three yeaas before the iſſuing of the commiſſion or warrant for ſuch trial, except only for the offence of deſertion.

None tried for offence above three years before warrant for trial, except for deſertion.

A. D. 1779-80.

CHAP. XVII.

An act for the better regulating the corn trade of this kingdom.

WHEREAS ſome further proviſions are neceſſary for better regulating the corn trade of this kingdom, and for the encouragement of the tillage thereof: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the twenty ninth day of September one thouſand ſeven hundred and eighty the ſeveral bounties, which are now allowed by law upon the exportation of any ſort of corn or grain ground or unground, ſhall ceaſe and determine, and inſtead and in lieu thereof, when the prices of corn or grain hereafter mentioned (the ſame being aſcertained as herein after directed) ſhall appear to be under the rates herein after reſpectively mentioned at the ports or places in this kingdom, from whence the ſame ſhall be exported, there ſhall be allowed upon the exportation of ſuch corn or grain either ground or unground, being the growth and product of this kingdom, and put on board in Britiſh or Iriſh ſhipping, the maſter and at leaſt two thirds of the mariners of ſuch ſhips being his Majeſty's ſubjects, the following bounties, that is to ſay; when the price of middling Iriſh wheat ſhall be under forty four ſhillings Engliſh the quarter, Engliſh exportation meaſure, there ſhall be allowed a bounty of five ſhillings Engliſh for every quarter, Engliſh exportation meaſure, of wheat, and five ſhillings Engliſh for every quarter, Engliſh exportation meaſure, of malt made of wheat; when the price of middling Iriſh rye ſhall be under twenty eight ſhillings Engliſh the quarter, Engliſh exportation meaſure, there ſhall be allowed a bounty of three ſhillings Engliſh for every quarter Engliſh exportation meaſure of rye; when the price of middling Iriſh barley, bere, or bigg, ſhall be under twenty two ſhillings the quarter, Engliſh exportation meaſure, there ſhall be allowed a bounty of two ſhillings and ſix pence Engliſh for every quarter Engliſh exportation meaſure of barley, bere, or bigg, and two ſhillings and ſix pence Engliſh for every quarter Engliſh exportation meaſure of malt made of barley, bere, or bigg; and when the price of middling Iriſh oats ſhall be under fourteen ſhillings Engliſh the quarter Engliſh exportation meaſure, there ſhall be allowed a bounty of two ſhillings Engliſh for every quarter Engliſh exportation meaſure of oats, and two ſhillings and ſix

Bounties now allowed on export, ſhall ceaſe,

inſtead thereof the bounties following,

when prices under rates herein at places of export.

of *Iriſh* growth,

in *Britiſh* or *Iriſh* ſhips, maſter and 2-3ds ſubjects,

5s. *per* quarter for wheat and malt, when middling wheat under 44s. *Engliſh per* quarter,

3s. for rye, when middling under 28s. *per* quarter,

2s. 6d. *per* quarter for barley, bere, or bigg, and malt thereof, when under 22s.

when oats under 14s. 2s. *per* quarter, oatmeal 2s. 6d.

pence Engliſh for every quarter Engliſh exportation meaſure of oatmeal, computed at the rate of two hundred and ſeventy ſix pounds avoirdupoiſe to the quarter, Engliſh exportation meaſure; which ſaid reſpective bounties ſhall be paid and allowed as herein after directed.

at 276lb. *per* quarter *Engliſh* exportation meaſure.

II. And be it enacted by the authority aforeſaid, that during the continuance of this act, provided the preſent war ſhall ſo long continue, one moiety of the ſaid reſpective bounties ſhall be allowed and paid on all the before mentioned kinds of grain, ground or unground, when exported in ſhips the property of perſons of any kingdom or ſtate in amity with his Majeſty, in like manner as if exported in Britiſh or Iriſh ſhipping.

1 Moiety of ſaid bounties paid during the war, if exported in ſhips of ſtates in amity.

III. And be it enacted by the authority aforeſaid, that the ſeveral kinds of grain ground or unground, herein before mentioned, which ſhall be imported into any of the ports of this kingdom, except from Great Britain, and being of Britiſh growth, ſhall pay duty as follows, that is to ſay; wheat, wheat meal, or malt made of wheat, when the price of the ſame ſhall not exceed fifty three ſhillings and four pence Engliſh *per* quarter, Engliſh exportation meaſure, at the port or place of importation in this kingdom, ſhall, if imported from any other country, pay a duty of ſixteen ſhillings and eleven pence and twelve twentieths of a penny Engliſh *per* quarter, Engliſh exportation meaſure; and rye, except from Great Britain, and being of Britiſh growth, when the price of the ſame ſhall not exceed forty ſhillings Engliſh *per* quarter, Engliſh exportation meaſure, ſhall, if imported from any other country, pay a duty of ſixteen ſhillings and eleven pence and eleven twentieths of a penny Engliſh *per* quarter, Engliſh exportation meaſure; that barley, bere, or bigg, or malt made thereof, except from Great Britain, and being of Britiſh growth, when the price of barley, bere, or bigg, ſhall not exceed thirty two ſhillings Engliſh *per* quarter, Engliſh exportation meaſure, ſhall, if imported from any other country, pay a duty of ſixteen ſhillings and eleven pence and eleven twentieths of a penny Engliſh *per* quarter, Engliſh exportation meaſure; and that oats or oatmeal, except from Great Britain, and being of Britiſh growth, when the price of oats ſhall not exceed ſixteen ſhillings Engliſh *per* quarter, Engliſh exportation meaſure, ſhall pay a duty of five ſhillings and ten pence and nineteen twentieths of a penny Engliſh *per* quarter, Engliſh exportation meaſure; and that peas, except from Great Britain, and being of Britiſh growth, when the price of the ſame ſhall not exceed forty ſhillings Engliſh *per* quarter, Engliſh exportation meaſure, ſhall pay a duty of ſixteen ſhillings and nine pence and four twentieths of a penny

Duty on import of grain, except from *Great Britain*, and *Britiſh* growth,

on wheat meal, or malt, when not above 53s. 4d. *Engliſh per* quarter at the port,

on rye, when not above 40s.

barley, bere, or bigg, or malt, when not above 32s.

oats or meal, when not above 16s.

peas, when not above 40s.

A. D. 1779-80. Chap. 17.

a penny Engliſh *per* quarter, Engliſh exportation meaſure; and that beans, except from Great Britain, and being of Britiſh growth, when the price of the ſame ſhall not exceed thirty two ſhillings Engliſh *per* quarter, Engliſh exportation meaſure, ſhall pay a duty on importation into this kingdom from any other country of ſixteen ſhillings and eight pence and fourteen twentieths of a penny Engliſh *per* quarter, Engliſh exportation meaſure; the produce of the ſaid duties to be applied towards the payment of the bounties herein before mentioned.

beans, when not above 32s.

ſaid duties applied to ſaid bounties.

IV. And to the end that the rates and prices of grain ground or unground may be known and aſcertained for the guidance and direction of the exporter and collector or other officer in receiving the duties as well as paying the ſeveral premiums on exportation as aforeſaid, be it enacted by the authority aforeſaid, that the grand jury of every county, county of a city, and county of a town within this kingdom at every general quarter ſeſſions ſhall enquire upon oath and preſent the true rates and prices reſpectively of all the ſaid kinds of grain ground or unground within the ſeveral counties, counties of cities, and counties of towns at the times of ſuch quarter ſeſſions; which preſentment, being confirmed by the juſtices of the peace in open ſeſſions, is to continue and be deemed and taken as the eſtimates and values of ſuch grain ground or unground in receiving the duty, and paying the premiums on exportation, until the next general quarter ſeſſions.

Grand juries every general quarter ſeſſions, ſhall enquire on oath, and preſent rates of grain,

confirmed in open ſeſſions, deemed the values 'till the next.

V. Provided always, and be it enacted by the authority aforeſaid, that the clerks of the peace of the ſaid counties, counties of cities, and counties of towns reſpectively, where ſuch preſentments ſhall be made and confirmed, do in fourteeen days after confirming thereof tranſmit to the commiſſioners of his Majeſty's revenue in Dublin true and exact copies under their hands and ſeals reſpectively of ſuch preſentments from time to time; and if any clerk of the peace ſhall neglect ſo to do, he ſhall forfeit to his Majeſty, his heirs and ſucceſſors, for every ſuch neglect the ſum of twenty pounds, being thereof convicted by indictment at the aſſizes in the county, wherein he is or was clerk of the peace at the time of confirming ſuch preſentment.

Clerks of peace in 14 days after confirming ſhall tranſmit copies to commiſſioners of revenue,

or forfeit 20l. on conviction at aſſizes.

VI. Provided always, that if the grand jury of any county, county of a city, or county of a town, ſhall fail to make ſuch preſentment at every general quarter ſeſſions, or if the juſtices of the peace ſhall fail to confirm the ſame in open court, as herein before directed, then the prices of all the ſaid kinds of grain ground or unground, ſhall be regulated by the average prices

On default of preſentment or confirming, regulated by average prices at laſt market before ſhipping.

prices at, which they ſhall be reſpectively ſold at the publick market at or neareſt to the port or place, from whence ſuch grain ſhall be intended to be exported on the laſt market day preceding the ſhipping of ſuch grain.

Exporte to bring to collector certificate of quantity and quality, proved on oath,

VII. And be it enacted by the authority aforeſaid, that to intitle him and them to receive the ſaid bounties every merchant or other perſon, who ſhall ſhip any of the ſaid kinds of grain ground or unground with intent to export the ſame beyond the ſeas, ſhall bring or cauſe to be brought a certificate in writing under his or their hands, containing the quantity and quality of the grain ground or unground, ſo ſhipped, to the collector, or other perſon or perſons appointed or to be appointed to collect the duties or rates ariſing by cuſtoms within any ſuch port; and upon proof made of ſuch certificate by one or more credible witneſs or witneſſes upon oath (which oath the ſaid collector or other officer is hereby authorized and required to adminiſter) as alſo annexing an affidavit of ſuch certificate that the ſaid grain, ground or unground, is ſhipped with intent to export the ſame, and not to reland the ſame or any part thereof in the iſlands of Guernſey or Jerſey, or the iſland of Faro or Ferro, or the Iſle of Man; which affidavits ſhall be ſworn before the ſaid collector or officer, and upon giving bond by every ſuch merchant or other perſon in the penalty of double the value of ſuch grain ground or unground, ſo ſhipped, conditioned that the ſaid grain, ground or unground, (danger of the ſeas excepted) ſhall be exported into parts beyond the ſeas, and not be again landed in this kingdom of Ireland, or the iſlands of Guernſey or Jerſey, or the iſland of Faro or Ferro, or the Iſle of Man, except in caſe the ſhip or ſhips, in which it ſhall be on board, receive damage, whereby the unlading the ſame becomes neceſſary, that in ſuch caſe the ſaid grain ground or unground ſhall be again with all convenient ſpeed ſhipped and tranſported according to the true intent of this act, every ſuch merchant or other perſon performing the requiſites aforeſaid ſhall have and receive from the collector or officer of ſuch port reſpectively the rates, allowances, premiums, or bounties herein before provided.

affidavit annexed of intent to export, and not to reland, or in *Guernſey, Jerſey, Faro*, or *Man*,

and bond in double the value,

danger of ſeas excepted

If on damage unlading neceſſary, reſhipped with ſpeed and tranſported,

payment on performing equiſites.

VIII. And be it enacted by the authority aforeſaid, that upon certificate returned under the common ſeal of the chief magiſtrate in any port or place beyond the ſeas, or under the hands and ſeals of two known merchants of ſuch port or place where ſuch grain, ground or unground, ſhall be landed, that the ſame was there landed, and the day, month, and year of ſo landing the ſame, or upon proof by one or more credible witneſs or witneſſes

On certificate of chief magiſtrate or 2 known merchants where landed, or oath of 1 or more witneſſes of being landed there, or

A. D. 1779-80. Chap. 17.

neſſes upon oath (to be adminiſtered as aforeſaid) that the ſaid grain, ground or unground, ſo ſhipped was then and there landed, or that the ſame was taken by enemies or periſhed in the ſea (the examination and proof thereof being left to the judgment of ſuch collector or officer) ſuch proof being made and certificate delivered to the officer, who took ſuch bond as aforeſaid, the ſaid bond ſhall be delivered to the exporter or his or her order to be cancelled without fee or reward; and all and every ſuch ſum or ſums of money, as ſhall have been paid by ſuch collector or officer in obedience to this act, ſhall be accepted of in his accounts as ſo much paid to his Majeſty's uſe, and he be thereof diſcharged accordingly.

taken or periſhed (the proof left to collector) ſaid bond delivered to exporter, payments by collector allowed in accounts.

IX. And be it enacted by the authority aforeſaid, that from and after the twenty ninth day of September one thouſand ſeven hundred and eighty the following ſavings be made in the bounty on the inland carriage of corn, meal, flour, and malt to Dublin towards the payment of the bounties herein before mentioned; that is to ſay, that during the continuance of this act no bounty whatever ſhall be payable on any flour, with reſpect to which the corn factor or perſon ſelling the ſame, and claiming bounty for it, ſhall not add to the oath to be taken before the paymaſter of the corn premiums or his deputy, that each and every hundred of flour, for which the bounty is claimed, was good merchantable flour, and that each and every hundred of ſaid flour, and not merely the average thereof, did actually and *bona fide* ſell without any practice or colluſion for the full ſum of ſix ſhillings an hundred at the leaſt.

Savings in bounty on inland carriage to *Dublin* towards ſaid bounties,

no bounty on flour unleſs added to the oath, that every hundred (for which claimed) and not merely the average, actually ſold for 6s. *per* 100, and good and merchantable.

X. And be it enacted by the authority aforeſaid, that during the continuance of this act no bounty whatever ſhall be paid on the land carriage of malt to Dublin, unleſs there ſhall be added to the oath to be taken before the paymaſter of the corn premiums or his deputy by the perſon or perſons, who ſhall claim any premium or bounty for malt ſo brought, the words following, (*videlicet*) that every barrel of ſaid malt of twelve ſtones meaſures four buſhels Wincheſter meaſure; as alſo that each barrel of the ſaid malt, for which bounty is ſo claimed, was good and merchantable, properly manufactured, well ſcreened and cleaned; and that each and every barrel of ſaid malt, and not merely the average thereof, did actually and *bona fide* ſell without any practice or colluſion for the full ſum of ſeven ſhillings by the barrel at the leaſt.

No bounty on land carriage of malt to *Dublin*, unleſs added to oath every barrel of 12 ſtones meaſures 4 buſhels *Wincheſter*, good and merchantable, and each, not average, ſold actually for 7s. *per* barrel.

5

XI. And

A. D. 1779-80.

XI. And be it enacted by the authority aforeſaid, that from and after the twenty ninth day of September one thouſand ſeven hundred and eighty until the expiration of this act the bounty, payable on the land carriage of flour of wheat to Dublin, ſhall not exceed two pence by the hundred for every five miles, and that the bounty payable on the land carriage of wheat ſhall not exceed one penny by the hundred for every five miles; and that the bounty payable on the land caariage of malt to Dublin ſhall not exceed two pence by the hundred for every five miles, during the ſaid term.

Bounty of land carriage of flour of wheat to *Dublin* ſhall not exceed 2d. wheat 1d. malt 2d. *per* 100 every 5 miles.

XII. Provided nevertheleſs, that nothing herein contained ſhall extend to leſſen the amount of the bounties now payable on the carriage of corn, meal, malt, and flour to the city of Dublin by any inland canal.

Not to leſſen bounties on carriage to *Dublin* by canal.

XIII. And be it enacted by the authority aforeſaid, that this act ſhall continue and remain in force until the twenty fourth day of June one thouſand ſeven hundred and eighty three, and no longer.

Continued to 24 June 1783.

CHAP. XVIII.

An act to empower grand juries to contract for keeping the publick roads in repair.

WHEREAS it will tend to leſſen the expence of keeping publick roads in repair, if the grand juries of the reſpective counties ſhall be impowered to agree or contract with proper perſons to keep the roads, for which preſentments have been granted, in conſtant repair: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of Auguſt one thouſandſeven hundred and eighty the grand juries of the ſeveral counties, counties of cities, and counties of towns, except the county of Antrim, at each aſſizes for their reſpective counties ſhall have full power and authority to enter into any contract or agreement with any perſon or perſons for keeping any part or proportion of the publick roads of their reſpective counties, that have been heretofore made or repaired by preſentment, or ſhall hereafter be made or repaired by preſentment, in ſufficient order and repair for any ſpace of time not exceeding ſeven years; which contract or agreement ſhall be ſigned by the parties, with whom the grand juries of ſaid counties ſhall make the ſame, and ſhall be delivered over to the clerk of the crown, to be by him kept with the

Grand juries, except for *Antrim*, may at aſſizes contract for keeping in repair any parts of publick roads repaired by preſentment, not above 7 years, ſigned by parties, delivered to crown clerk,

A. D. 1779-80. Chap. 18.

the records of the ſaid counties; and that the grand juries of ſaid counties ſhall have full power and authority to preſent any ſum of money to be levied and raiſed off the inhabitants of the reſpective baronies or half baronies in ſaid counties, and of the reſpective counties of cities and counties of towns, to be paid to the perſon or perſons with whom they ſhall make ſuch contract or agreement; provided the ſame ſhall not exceed the ſum of three pence by the year for each perch, plantation meaſure, of road ſo to be kept in repair, and ſo for a greater or leſs proportion of road.

and preſent not exceeding 3d. *per annum per* perch plantation meaſure.

II. Provided always, that no part of the money ſo preſented ſhall be paid by the treaſurer of ſaid county, until ſuch contractor or contractors ſhall make affidavit before the judge of aſſize, that ſuch proportion of road is at that time in ſufficient order and repair, until ſuch affidavit ſhall be allowed and paſſed by the then grand jury and judge of aſſize.

Not paid till affidavit of contractor of being in ſufficient repair and allowed,

III. And whereas by an act paſſed in the ſeventeenth and eighteenth years of his preſent Majeſty's reign, intitled, *An act, to explain and amend an act paſſed in the thirteenth and fourteenth years of the reign of his preſent Majeſty*, intitled, *An act for amending publick roads*, the grand juries of the county of Antrim are empowered to preſent any ſum, not exceeding two pence halfpenny by the perch of road, for the keeping in repair of which a contract or agreement had been entered into: And whereas the ſaid ſum has been found inſufficient: therefore be it enacted by the authority aforeſaid, that from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty it ſhall and may be lawful for the grand juries of ſaid county of Antrim at their reſpective aſſizes, if they ſhall judge it fit and proper, and not otherwiſe, to enter into any contract or agreement with any perſon or perſons for keeping any part or proportion of the publick roads in ſaid county in repair in the manner preſcribed by this act, provided the ſame ſhall not exceed the ſum of nine pence by the year for each perch plantation meaſure of road ſo to be kept in repair, and ſo for a greater or leſſer proportion of road.

17 & 18 *G.* 3. *c.* 22. *ſ.* 8.

g. juries for *Antrim* may contract for repair of roads as herein preſcribed not exceeding 9d. *per annum per* perch plantation meaſure.

IV. Provided always, that nothing herein contained ſhall extend to the county or the county of the city of Dublin.

Not to extend to *Dublin* county or city.

CHAP.

A. D. 1779-80.

CHAP. XIX.

An act to prevent combinations, and for the further encouragement of trade.

All combinations among maſters or journeymen publick nuiſances,

IN order to ſecure to every man the full enjoyment of that property he has in his own labour, to find employment for the induſtrious, and bread for the poor, and to extend throughout this ancient kingdom all the benefits of free trade, be it enacted and declared by the King's moſt excellent Majeſty by and with the advice and conſent of the Lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that all and every ſort of combinations in trade as well among maſter manufacturers as among journeymen are publick nuiſances, and ought to be ſuppreſſed; and that it is the duty of all ſheriffs, mayors, juſtices of the peace, conſtables, and other civil magiſtrates and officers, to oppoſe and proſecute to conviction and puniſhment all perſons, who ſhall henceforth be concerned in the ſame.

ought to be ſuppreſſed, and all civil officers ſhould oppoſe and proſecute perſons concerned.

II. And be it enacted by the authority aforeſaid, that the following acts ſhall be conſidered as evidences of unlawful combination, and ſufficient for the conviction of any perſon, who ſhall be guilty of the ſame, *viz.* the becoming or henceforth continuing to be of any club, committee, or other aſſembly or ſociety for regulating the concerns of trade, or any other matter relative to the ſame, other than as ſuch clubs, committees, aſſemblies, or ſocieties are agreeable to law; the levying, or aſſiſting in levying, demanding or collecting any money or contributions from any maſter, employer, undertaker, journeyman, or other perſon by authority of or for the ſupport of any ſuch club, committee, aſſembly, aſſociation, or combination, or for ſupporting any regulation made or to be made by any ſuch ſociety or combination, or as a fine or penalty impoſed by the ſame, or the ſeizing or taking away any implement of work or other pledge, diſtreſs or ſecurity, for ſuch contribution, aſſeſſment, or fine; or the compelling or attempting to compel the payment thereof by force, threat, menace, or by any puniſhment, or by refuſing to work with, or ſuffer to work, any perſon refuſing to pay ſuch contribution or fine, or with any maſter employing ſuch perſon; the reſtraining or attempting to reſtrain by any means any perſon from taking any apprentice or number of apprentices, he may judge convenient to employ, or the refuſing to work with ſuch

Acts evidence of unlawful combination, and ſufficient to convict,

being of clubs, &c. for regulating concerns of trade,

levying or aſſiſting therein, contribution to ſupport ſuch ſociety, or regulations, or as a fine,

ſeizing pledge or ſecurity for ſuch,

compelling payment,

refuſing work with any refuſing to pay or employers of ſuch,

reſtraining taking apprentices, or to work with ſuch,

A. D. 1779-80. Chap. 19.

such perſon or thoſe employing him on that account; the preventing or attempting to prevent any native of any part of this kingdom, or any foreigner, or any woman from exerciſing any trade, or working at any branch of buſineſs, other than as they are reſtrained from ſo doing by the law of the land, or the particular charter law of any corporation, ſuch prevention alſo to be made in a legal method only, and according to the known proceſs of the civil power, and by perſons qualified by law to make the ſame; the unlawful preventing or attempting to prevent the introduction or uſe of any machinery, or new inſtrument or implement of trade, or any new method of carrying on any work, ſo that any man may be obſtructed from the full exerciſe and benefit of his ingenuity or ſkill, or of the ingenuity or contrivance of others; the wilfully and maliciouſly deſtroying or injuring, or attempting to deſtroy or injure, the manufactures, implements, materials, or ſtock in trade of any manufacturer, merchant, ſhop keeper, or warehouſe keeper, or other perſon employed in trade, or the unlawful preventing or attempting to prevent ſuch perſon from freely carrying any of the ſaid articles to or from any market, or to or from any place whatſoever; the making bye laws or orders pretending to regulate trade, or the price of goods, or the price of labour, or of wages, or for advancing the price of wages, or for leſſening the uſual hours of work; the entering into, continuing in, acting under, making, ſigning, ſealing, or being knowingly concerned in any contract, covenant, or agreement, bye law, ordinance, rule or order of any club, ſociety, or combination by law declared to be illegal, null, or void; the departure of any undertaker, journeyman, or apprentice from his ſervice before the end of the time or term, of which he is or ſhall be hired or retained, or the quitting his work for the ſpace of three days, or returning his ſaid work before the ſame ſhall be completely finiſhed, without the conſent of the perſon by whom he ſhall be employed or retained, unleſs for ſome reaſonable and ſufficient cauſe; the ſummoning, giving notice of, or otherwiſe inviting, or cauſing to be ſummoned or invited, any artificer, manufacturer, journeyman, apprentice, labourer, or other perſon uſually employed in any branch of any trade, manufacture, or buſineſs, to appear at any meeting in order to enter into or conſult on any combination, rule, agreement, or aſſociation, to aſcertain or fix the price of labour or workmanſhip, or to make any rule, order, or regulation in any wiſe reſpecting any trade, manufacture, or buſineſs, or the perſons employed or to be employed therein; the

preventing exerciſing trade or working, ſave as by law or charter and legal methods,

preventing new machinery,

deſtroying or injuring materials or ſtock in trade, or preventing from carrying freely to or from any place,

making bye laws to regulate trade, prices, wages, or work hours,

knowingly concerned in contract, order, &c. of illegal ſociety,

departing ſervice before the time,

quitting work 3 days,

returning work unfiniſhed without conſent, unleſs cauſe,

ſummoning or inviting to meeting to conſult on fixing price of labour or regulate any trade or perſons employed,

administering or causing to be administered any oath or declaration to any such manufacturer, artificer, journeyman, apprentice, or labourer, or other person, tending to fix the price of wages or labour, or workmanship, or tending to fix upon or make any rule, order, agreement, or regulation, respecting any trade, manufacture, or business, or the persons employed or to be employed therein; the issuing or causing to be issued, delivering or causing to be delivered, any ticket, certificate, or token (other than and except such ticket or certificate as shall or may be delivered by the order of the corporation, whereof such person is a member) of his being licensed to work at his or their respective trade or trades; the making or joining in making any unlawful rule, order, or agreement, or regulation, relating to the prices or wages of labour or workmanship, or in any particular relating to any trade, manufacture, or business; or the delivering or causing to be delivered to any person whatsoever any ticket, token, printed advertisement, or writing, containing any rules, regulations, or agreements, or rule, regulation, or agreement, entered into or to be entered into by any artificer, journeyman, or labourer, touching or concerning any trade, manufacture, or business, or any table or general regulation of price; or the making or assisting in making or in carrying into execution any such table or general regulation; the hindering or attempting to hinder by force, menaces, or otherwise, any manufacturer or labourer from working at his or their respective trade at such prices as shall be ascertained by law, or as he or they shall agree for with their respective employers or masters, or at such particular work as such employers or masters shall direct in their respective trades or callings; the corrupting or endeavouring to corrupt, or by threats or other means influencing or endeavouring to influence, apprentices to neglect their work, or to leave their masters, and the deterring or endeavouring to deter persons from binding any young persons under their care apprentices to any branch of business; the deterring or endeavouring to deter journeymen or others to go in the place of any others who may have turned out or left their work, or on any other account from entering into any other manufacturer or undertaker's employment; the obstructing any apprentice from learning his trade, or from working with the journeyman or journeymen employed by the master of such apprentice; the unlawfully assembling in any number exceeding seven persons for any purpose of combination, or carrying any such into execution, or making or enforcing any regulation relative to the same.

oath or declaration tending to fix price of labour or wages, or regulate trade or persons employed,

ticket or certificate of licence to work, except by order of corporation,

making or joining in unlawful rule, as to prices or wages, or relating to trade,

delivering ticket or advertisement of regulation of trade or table of price,

assisting in or in executing such table,

hindering from working at legal prices or as agreed with employers or at work directed,

corrupting or influencing apprentices to leave work or master,

deterring from binding apprentices,

or journeymen from replacing others or entering into employment,

obstructing apprentice learning, or working with others,

assembling above 7 for any combination.

III. And

A. D. 1779-80. Chap. 19.

Journeyman or maſter may take as many apprentices, as thought fit, whether maſter or apprentice, proteſtant or papiſt.

III. And be it further enacted by the authority aforeſaid, that from henceforth it ſhall and may be lawful for every manufacturer, as well journeyman as maſter, to take as many apprentices male or female as he may think fit in any trade within this kingdom, whether ſuch maſter or apprentice be proteſtant or papiſt, any ſtatute, uſage, cuſtom, charter, bye law, order, or regulation to the contrary notwithſtanding.

Regulations contrary, and oaths for executing, void.

IV. And it is hereby enacted and declared by the authority aforeſaid, that henceforth all rules, bye laws, and regulations contrary to theſe proviſions, and all oaths for obeying or carrying into execution the ſame, ſhall be conſidered as null and void.

31 *G.* 2. c. 10. ſ. 13. recited,

V. And whereas by an act paſſed in the thirty firſt year of the reign of King George the ſecond it is amongſt other things enacted, that if any perſon or perſons ſhall by day or by night break into any houſe or ſhop with intent to cut or deſtroy any fuſtian, cotton, woollen, mohair, or ſilk goods in the loom, or any tools employed in the making thereof, or ſhall wilfully or maliciouſly cut or deſtroy any fuſtian, cotton, woollen, mohair, or ſilk goods in the loom, or on the rack on which any of the aforeſaid goods are hanged in order to dry, and ſhall wilfully and maliciouſly break or deſtroy any tools uſed in making goods, not having the conſent of the owner ſo to do, every ſuch offender being thereof lawfully convicted ſhall be adjudged guilty of felony, and ſhall ſuffer death as in caſes of felony without benefit of clergy; the proviſions of which act by another act paſſed in the thirty third year of his ſaid Majeſty's reign are extended to perſons breaking or entering by force into any houſe or ſhop with intent to cut or deſtroy any linen, hempen, or cotton yarn, or any linen or hempen cloth, or any manufacture made of or mixed with linen or hempen yarn, or any tools employed in the making thereof, or any bay or woollen yarn, or any manufacture wherein any bay or woollen yarn ſhall be uſed or wrought up, or any tools employed in the making thereof; or who ſhall wilfully or maliciouſly cut or deſtroy any linen or hempen, cotton or woollen, manufacture, or any manufacture made or mixed with linen, hempen, cotton, or woollen yarn, or ſhall wilfully and maliciouſly break and deſtroy any tools uſed in the making of the ſame, not having the conſent of the owner ſo to do: And whereas it is expedient to extend the proviſions of the ſaid act ſtill further, and to other manufactures: be it enacted by the authority aforeſaid, that from henceforth, if any perſon ſhall by day or by night break into any houſe or ſhop, or enter by force into

extended by 33 *G.* 2. c. 5. ſ. 4.

to extend the proviſions therein further and to other manufactures,

to break into houſe or

into any houſe or ſhop, with intent to cut or deſtroy any manufacture of iron, leather, or other manufacture made within this kingdom for publick ſale, or any tools employed in the making thereof, or ſhall wilfully or maliciouſly cut or deſtroy any of the ſaid manufactures, or ſhall wilfully and maliciouſly break or deſtroy any tools uſed in the making of the ſame, or ſhall ſo break or deſtroy any mill, engine, or device for the making or perfecting or to be employed in any manufacture, or ſhall aid, aſſiſt, or abet any perſon concerned therein, or ſhall ſo break, injure, or deſtroy any ſuch manufactures on any highway or road (or at any publick houſe or inn) where the ſame may be carried towards the city of Dublin, or the port thereof, or any other port or place for conſumption, or for exportation, not having the conſent of the owner ſo to do, or ſhall wilfully and maliciouſly maim or wound any perſon concerned in carrying on any manufacture on account of his working at or being concerned in the ſame, or any perſon concerned in uſing, carrying, or protecting any of the ſaid manufactures, or any ſuch mill, engine, or device, or ſhall in conſequence of any combination, or the breach of any order, rule, or regulation of the ſame, horſe, colt, carry in proceſſion, wound, or maim, or endanger the life of any journeyman, apprentice, or other perſon employed in any manufacture, every ſuch offender being thereof lawfully convicted ſhall ſuffer death as in caſes of felony without benefit of clergy.

ſhop to cut or deſtroy any manufacture or the tools, deſtroying them or engine for making, aiding or abetting, injuring on the road, to maim or wound perſons concerned, or horſe, colt, carry in proceſſion, or endanger their lives, on conviction ſuffer death as in felony.

VI. And whereas by an act made in the fifteenth and ſixteenth years of his preſent Majeſty's reign it is recited, that ſeveral perſons had frequently in a riotous, diſorderly, and tumultuous manner aſſembled, and taken upon themſelves to obſtruct the exportation of corn, grain, meal, malt, and flour, and have deſtroyed, mills, granaries, and ſtorehouſes; therefore it is enacted thereby, that ſatisfaction and amends ſhall be made to every perſon for every ſuch injury and damage, to be recovered from the county where ſuch offence ſhall have been committed, which act has been found to have the deſired effect: and whereas it has frequently happened of late years, that ſeveral perſons as well by night as in the day time have in a riotous, diſorderly, and tumultuous manner aſſembled themſelves, and have taken on themſelves to obſtruct the erecting or making, or working of gigg mills, ſwivel looms, and other machines, engines, and devices for the cheaper, more expeditious, and better finiſhing of manufactures, whereby the poor manufacturers of this kingdom (diſabled from working on the ſame terms with

15 & 16 G. 3. c. 21. ſ. 1. & 3. recited, for ſatisfaction on the county, for obſtructing export of grain, and deſtroying mills, &c.

on riotous obſtructing or deſtroying gigg mills, ſwivel looms, and other devices for manufacturing, the goods and materials, cloths and blankets, beef and pork barrels, &c. yarn

A. D. 1779-80. Chap. 19.

with their rivals in other countries) are disqualified from reaping the benefits of a free trade in foreign markets; and such persons have also taken on themselves to destroy or damage such gigg mills, swivel looms, and other machines, engines, and devices, as also the goods or manufactures made in the same, and the materials collected for working therein, and have also at other times presumed to destroy woollen cloths and blankets, beef and pork barrels, and other goods of a like nature, when brought or bringing into the city of Dublin, on account that the same had not been made in the city of Dublin or the suburbs thereof, and have also destroyed yarn, and other productions of this country for exportation or consumption, or to be wrought up or made use of in some other manufacture: In order to prevent for the future such outrages and offences, and to interest all orders of men in the preservation of the publick peace, and the protection of private property, be it enacted by the authority aforesaid, that satisfaction and amends may be made in manner herein after mentioned to all and every person, his, her, or their executors or administrators, for all and every injury and damage, which shall be done or committed against his, her, or their person or persons, habitations, possessions, property, goods, or chattles, by any offender or offenders against this act, or in any of the particulars herein before mentioned; and that any person or persons, his, her, or their executors or administrators, who shall sustain any injury, loss, or damage by any of the offences herein before mentioned, may sue for and recover satisfaction and amends for the injury, loss, or damage, incurred or suffered as aforesaid, at the next assizes to be held for the county where such offence was committed, or if in the county of Dublin at the next presenting term, or if in the city of Dublin at the next quarter sessions for the said city, by exhibiting to the judge or judges of assize, or to the court of king's bench for the said county of Dublin, or to the recorder of the city of Dublin if at such quarter sessions, his, her, or their petition praying such satisfaction and amends for the injury, loss, or damage sustained as aforesaid, and therein setting forth particularly the injury or damage done to his, her, or their person, habitation, property, goods, or chattles, and the particular value thereof, by what number of persons, he, she, or they believe, such injury or damage was done or committed, with the names or descriptions of such of said offenders as he, she, or they shall know, and such particular description of such others of them as he, she, or they can give; and the matter thereupon shall

and other products, satisfaction made on petition next assizes, or presenting term for *Dublin* county, or quarter sessions for the city, setting forth the injury, particular value, number of offenders, those known, and description of others,

examined in court in

ſhall be examined by ſuch judge or judges of aſſize, or court of king's bench, or recorder, in open court in the preſence of the grand jury impannelled and ſworn at ſuch aſſizes or preſenting term or ſeſſions, on the oath of the party aſſaulted or injured as aforeſaid, and ſuch other evidence as can be produced touching the ſaid offences according to the nature thereof; and if on conſideration of the matter ſuch judge or judges of aſſizes ſhall be of opinion, that the perſon or perſons preferring ſuch petition hath or have fully proved the ſeveral matters aforeſaid, and the value of the injury or damage ſuſtained as aforeſaid, ſo as to intitle him, her, or them to ſatisfaction and amends, the ſaid grand jury ſhall thereupon and they are hereby required purſuant to the directions of ſuch judge or judges as aforeſaid to preſent ſuch ſum or ſums of money, as the perſon or perſons ſo aſſaulted or injured in his, her, or their perſon, habitation, poſſeſſion, property, goods, or chattles, ought in their opinion to have and receive for the loſs, injury or damage by him, her, or them ſuſtained as aforeſaid, to be raiſed either on the county, county of a city, or town, barony, town or towns, pariſh or pariſhes, in or near which ſuch offence ſhall have been committed, and in ſuch proportions as they ſhall think fit: which ſums ſo preſented as aforeſaid ſhall be applotted, levied, and raiſed by ſuch ways and means, and in ſuch manner and form, as other publick money preſented at the ſaid aſſizes, or preſenting term, or ſeſſions, ſhall be applotted, levied, and raiſed within ſuch county or city purſuant to the laws now in force.

grand jury's preſence on party's oath or other evidence,

if proved, grand jury ſhall preſent ſuch ſums, as ought to be received, for the injury, on the county, &c.

applotted and raiſed as other publick money.

VII. Provided, that if any perſon or perſons ſhall find himſelf, herſelf, or themſelves aggrieved by any preſentment to be made in purſuance of this act, ſuch perſon or perſons, in caſe the ſum ſo preſented do exceed the ſum of five pounds, ſhall or may at the ſaid aſſizes, or preſenting term, or ſeſſions, traverſe the ſame; which traverſe ſhall be tried at the ſame or the next enſuing aſſizes, preſenting term, or ſeſſions, as the judge or judges, who ſhall allow the ſame, ſhall think fit; and if on ſuch traverſe the iſſue ſhall be found for the traverſer, ſuch preſentment ſhall be diſcharged, otherwiſe the ſame ſhall be final and concluſive to all perſons.

Traverſe, if preſentment above 5l.

tried the ſame or next aſſizes, &c.

if found for traverſe, diſcharged, otherwiſe final.

VIII. Provided always, that every perſon or perſons applying for ſuch preſentment ſhall by himſelf, herſelf, or themſelves, or by ſome perſon or perſons for or on his, her, or their behalf, within forty eight hours after ſuch injury or damage done or committed as aforeſaid, or within a reaſonable time after he, ſhe, or they ſhall be at liberty, give notice thereof unto ſome of the inhabi-

Notice in 48 hours after, or reaſonable time after at liberty, near the place,

A. D. 1779-80. Chap. 19.

inhabitants, or ſome town or village, or ſtreet, near unto the place where ſuch fact ſhall be committed, and ſhall within ſix days after ſuch fact committed give notice to the high conſtable of the barony, and to the church wardens of the pariſh, where ſuch fact ſhall be alledged to be committed (if ſuch high conſtable and church wardens ſhall reſpectively reſide within ſuch barony and pariſh) who are hereby required forthwith to publiſh the ſame in ſuch barony or pariſh where the ſame ſhall be ſo alledged to have been committed; and that alſo within ſix days after ſuch notices, ſo given as aforeſaid, either the perſon or perſons ſo injured ſhall give his, her, or their examination upon oath, or that examination upon oath ſhall be given by his, her, or their ſervant or ſervants, or family, or other perſon or perſons employed by them, who were in his, her, or their houſe, or who had the care of his, her, or their habitation, poſſeſſion, property, goods, or chattles, before ſome juſtice of the peace inhabiting within the ſaid county or city, where ſuch fact ſhall have been committed, or, if the ſame ſhall be committed in any city, county of a city, or town corporate, before the chief magiſtrate or ſome alderman, or juſtice of the peace of the ſame, thereby ſpecifying whether he or ſhe do know the perſon or perſons, who committed ſaid fact, or any of them, and if upon ſuch examination it ſhall be confeſſed, that he, ſhe or they do known * the perſon or perſons, who committed ſaid fact, or any of them, then he, ſhe, or they ſhall be bound by recognizance to proſecute ſuch offender or offenders by indictment or otherwiſe according to the laws of this kingdom.

and in 6 days to high conſtable and church wardens, if reſident, who ſhall publiſh therein,

examination on oath in 6 days after notices by the parties, ſervants, family, or thoſe employed in the care thereof, before a magiſtrate of the place, &c.

ſpecifying whether they know offenders,

if confeſſed, recognizance to proſecute.

IX. Provided alſo, that every preſentment, hereafter to be made by virtue of this act, ſhall be made at the next aſſizes, or preſenting term, or ſeſſions after the fact committed, and ſhall be read in open court, and ſhall not be made at any other aſſizes, or preſenting term, or ſeſſion, unleſs ſuch fact ſhall be committed ſo near the time of holding ſuch aſſizes or preſenting term or ſeſſions, that due notice cannot be given before the firſt day of ſuch aſſizes, or preſenting term, or ſeſſions, according to the direction of this act; in which caſe it ſhall and may be lawful for the perſon or perſons, who ſhall have ſuſtained ſuch injury or damage, to prefer his, her, or their petition, and to obtain ſuch preſentment at the next enſuing aſſizes, or preſenting term, or ſeſſions, after ſuch due notice ſhall be given as aforeſaid.

Every preſentment next aſſizes, &c. after the fact, unleſs ſo near that due notice cannot be before 1ſt day,

in which caſe at the enſuing,

after due notice.

X. Provided alſo, that no ſuch preſentment ſhall at any time be removed, or the proſecution thereon otherwiſe delayed, than by ſuch traverſe as aforeſaid, and that for ſuch time only as ſhall be

Preſentment not removed or delayed, ſave by traverſe,

be neceſſary for the trial of ſuch traverſe; nor ſhall any ſuch preſentment be at any time quaſhed for any informality, imperfection, or defect in form whatſoever.

and only for trial, not quaſhed for form.

XI. Provided alſo, that undertakers ſhall be conſidered as maſters in every part of this act, ſo far as reſpects the journeymen employed by them.

Undertakers as maſters as to the journeymen.

XII. And be it enacted and declared by the authority aforeſaid to be the duty and office of all chief magiſtrates and juſtices of the peace diligently to attend to the execution of this act, and to examine, whether the perſons carrying on trade have conformed in all particulars thereunto.

Magiſtrates to attend diligently, and examine whether traders conform.

XIII. And be it further enacted by the authority aforeſaid, that wherever there ſhall be found any particular act of unlawful combination either of maſters or journeymen, for which no ſpecifick puniſhment is pointed out by this or any other act, it ſhall and may be lawful for any chief magiſtrate or juſtice of the peace within their reſpective juriſdictions in a ſummary manner to examine into and determine the ſame, and to fine every perſon who ſhall be ſo convicted by the teſtimony upon oath of one or more credible witneſs or witneſſes or by the confeſſion of perſons charged with ſuch offences, if a maſter, in any ſum not exceeding five pounds, and if a journeyman or other inferior artificer in any ſum not exceeding forty ſhillings, one moiety thereof to be paid to the informer, and the other to the poor of the pariſh in which ſuch offence ſhall have been committed; and, in caſe the fine ſo impoſed ſhall not be paid, to commit the offender to bridewell, houſe of correction, or common goal of the place, where ſuch offence ſhall be committed, for any ſpace of time not exceeding three months.

Where no puniſhment pointed out, magiſtrate may ſummarily examine,

and fine on oath of 1 witneſs or confeſſion,

if maſter not above 5l. journeyman or inferior 40s.

to informer and the poor;

if not paid, committed not above 3 months.

XIV. And be it enacted by the authority aforeſaid, that wherever any ſentence of conviction ſhall be pronounced under this act by the authority of any ſingle alderman or juſtice of the peace, ſuch juſtice muſt be a perſon not concerned in that particular branch of trade, to which the complaint, on which ſuch conviction is to be grounded, refers; and that no magiſtrate in ſuch caſe ſhall pronounce ſentence as aforeſaid.

No magiſtrate of the branch of trade, to which complaint refers, ſhall ſentence.

XV. And be it enacted by the authority aforeſaid, that any maſter or employer, who ſhall retain in his ſervice any undertaker or journeyman, and ſhall deliver to him a warp of new drapery to weave, or ſet in the loom, and ſhall not furniſh him with materials to finiſh the ſame, but ſhall for want of ſuch materials keep him, or cauſe him to be kept idle three days, from the time he enters the ſaid work in the loom, ſuch maſter or employer,

Employer retaining, and delivering warp to weave or ſet in loom, and keeping idle 3 days for want of materials, ſhall pay ſo much *per* day as could

A. D. 1779-80.

employer, being thereof convicted upon oath before any juſtice of the peace, ſhall for every ſuch neglect pay or cauſe to be paid to ſuch workman ſo kept idle ſo much rateably *per* day as he could have earned on ſuch work, if he had been regularly ſupplied with materials, and as ſhall appear reaſonable to any juſtice of the peace, to whom complaint ſhall be made thereof, to be levied by the warrant of ſuch juſtice of the peace by diſtreſs of the goods of the offender.

be reaſonably earned, levied by diſtreſs on warrant.

Appeal from a magiſtrate to quarter ſeſſions.

XVI. And be it enacted by the authority aforeſaid, that if any perſon ſhall think him or herſelf aggrieved by the determination of any juſtice of the peace or magiſtrate acting under this act, it ſhall and may be lawful for ſuch perſon to appeal to the next general quarter ſeſſions of the peace for the county or county of the city, in which the offence ſhall be charged to have been committed, and ſuch court of quarter ſeſſions ſhall finally determine ſuch appeal.

Recognizance with 1 ſurety in 40l. in 2 days by appellant to appear and proſecute.

XVII. Provided nevertheleſs the perſon making ſuch appeal ſhall within two days next after his or her conviction enter into a recognizance together with one ſufficient ſurety before the magiſtrate, from whoſe ſentence he ſhall appeal, or any other juſtice of the peace, in a ſum not exceeding twenty pounds, conditioned to appear at ſuch quarter ſeſſions to proſecute his appeal, otherwiſe ſuch appeal to be of no effect to ſuſpend the execution of the ſentence appealed from.

CHAP. XX.

An Act for the better regulation of the woollen manufacture of this kingdom.

17 & 18 *C.* 2. c. 15. recited,

WHEREAS by an act made in the ſeventeenth and eighteenth years of the reign of king Charles the ſecond, intitled, *An act for the true making of all ſorts of cloth, called the old drapery and new drapery, and the true ſearching and ſealing thereof by his Majeſty's alnager within this kingdom*, it was enacted, that all cloths, half cloths, and pieces of cloths, kerſies, frizes, cottons, rugs, and all other cloths called the old drapery, and alſo all bayes, ſayes, ſerges, fuſtians, ſtuffs, and other commodities whatſoever made of wool, part of wool, cotton, or otherwiſe called or known by the name of the new drapery, ſhould be of the length, breadth, and weight in the ſaid act mentioned: and his Majeſty's alnager by the ſaid act by himſelf or his lawful or ſufficient deputy or deputies, ſubſtitute or ſubſtitutes, is authorized

thorized and required to measure, view, try, weigh, and search all the said broad cloths, kersies, frizes, stuffs, baizes, cottons, sayes, serges, fustians, rugs, and all other cloths and commodities whatsoever to be made of wool, part of wool, cotton, or otherwise, commonly called the old and new drapery, whether the same be of the length, breadth, and weight appointed, and be made, wrought, and dressed without straining or stretching by any engine, instrument, or device whatsoever; and in case the same shall be found merchantable, good, and lawful wares, to seal or mark the same; and, if the same be found defective or deceitfully made, to cut or jagg the same at both ends thereof; and that such alnager should also receive to his Majesty's use such subsidy of alnage of all and every the said cloths, kersies, frizes, rugs, cottons, bayes, sayes, serges, and other stuffs and commodities aforesaid; and for all knit stockings, fringes, cruels, lace, boulting, swadling bands, or bridling, according to the lengths, breadths, and weights for the same respectively in the said act set forth, together with such fee for sealing the same and such additional fee for measuring, searching, viewing, trying, and weighing, as is therein mentioned: And it is by the said law enacted, that for the better execution of said office of alnager there shall be at all times meet and convenient places appointed in every city, borough, town corporate, market town, and other convenient places within this kingdom for the measuring, searching, and sealing such commodities, whereby every person having such commodities may certainly know where to have the same perfected and done, and may not be drawn to travel above the space of six miles from their several abodes for the perfection thereof: And whereas the provisions and directions of the said act have nevertheless not been found effectual for preventing the frauds, abuses, and deceits, which are frequently used in the said manufactures; and the said alnage office under proper regulations may be rendered beneficial to the publick, in remedying the same: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that so much of the said act only, and so much of every act or acts heretofore made, as relate to the ascertaining or fixing the length, breadth, or weight of each particular piece of such woollen cloths, for the measuring, trying, or sealing of which other provisions are herein after made, shall from the twenty ninth day of September one thousand seven hundred and eighty be repealed.

provisions in said act not effectual,

and alnage office may be rendered beneficial to the publick,

so much of said act, and every act as relate to fixing length, breadth, or weight of woollens, for which other provisions herein, repealed.

II. Provided

A. D. 1779-80. Chap. 20.

When lengths and breadths the ſame as in ſaid act, like ſubſidy and fees paid, when varying, in the proportion in ſaid act.

II. Provided nevertheleſs, that when the lengths and breadths of ſuch goods hereafter to be made ſhall be the ſame, as is preſcribed by the ſaid act, ſuch ſubſidy and fees ſhall be paid for the ſame, as is therein ſet forth; and where the ſaid lengths and breadths ſhall vary from the ſame, then in the proportion to the lengths and breadths in the ſaid act mentioned; and where ſuch ſubſidy and fees are to be paid by weight only, the ſame to continue in like manner; and that henceforth his Majeſty's alnager, his deputies and ſubſtitutes, ſhall be ſearchers and meaſurers of all ſuch commodities made within this kingdom.

where by weight only, continued, alnager and deputies ſearchers and meaſurers.

III. Be it enacted by the authority aforeſaid, that every ſuch deputy or ſubſtitute ſhall be appointed by ſome authority under the hand and ſeal of his Majeſty's alnager; and that every ſuch deputy or ſubſtitute ſhall be obliged to give ſecurity to the ſaid alnager for his conduct in the ſum of fifty pounds at the leaſt, to the amount of which ſum the ſaid alnager ſhall be anſwerable for his ſaid deputy or ſubſtitute in caſe of inſolvency, or of his not paying any fines impoſed or damages to be recovered in conſequence of any miſconduct or neglect in his ſaid office, or in conſequence of this or any other act relating to the ſaid manufacture.

Deputy under alnager's hand and ſeal, to give 50l. ſecurity, at leaſt, for which alnager anſwerable,

Previous oath by deputies before a juſtice.

IV. And be it enacted by the authority aforeſaid, that every ſuch deputy or ſubſtitute, before he ſhall enter upon his ſaid duty, ſhall take and ſubſcribe the following oath before one of his Majeſty's juſtices of the peace in this kingdom, *viz.*

I A. B. *do ſwear, that I will well and truly to the beſt of my ſkill and power execute the office of a deputy or ſubſtitute alnager, ſearcher, meaſurer, or inſpector of woollen and cotton manufactures within the diſtrict, for which I have been appointed.*

So help me God.

Signed, atteſted, and in alnage office in *Dublin*, where all deputies, dates, diſtricts, and ſecurities entered.

acting without ſecurity and oath, 10l.

Which oath in writing being ſigned by ſuch perſon, and atteſted by the juſtice of the peace adminiſtering the ſame, ſhall be kept in ſome office appointed for that purpoſe by the ſaid alnager in the city of Dublin, in which office there ſhall alſo regular entries be kept of all ſuch deputies or ſubſtitutes within this kingdom, and of the dates of their appointments, and of the diſtricts in which they ſhall be impowered to act, and of the ſecurities which have been given by them reſpectively; and if any ſuch deputy or ſubſtitute ſhall act as ſuch without having given ſuch ſecurity and taken ſuch oath, every ſuch perſon for every ſuch offence ſhall forfeit the ſum of ten pounds.

V. And

V. And be it enacted by the authority aforeſaid, that every ſuch deputy alnager or ſubſtitute ſhall and may, and they are hereby authorized and directed within the ſeveral diſtricts, for which they ſhall be reſpectively appointed, to meaſure all broad cloths, and ends or half cloths, coatings, and knapped rugs, and all narrow cloths and all other cloths called the old drapery, while the ſame are fully wet, and previous to their being put on the tenters; and ſuch deputy or ſubſtitute ſhall immediately after ſuch meaſurement affix on one end of every ſuch cloth a ſeal of lead, (to be furniſhed and provided by the maker of ſuch cloth) and ſhall rivet the ſeal, and ſhall ſtamp in words and figures plainly to be read and diſtinguiſhed thereupon, his name, and the length and breadth of ſuch cloth, together with the number of ſuch cloths ſo ſealed by him in ſuch diſtrict ſucceſſively, beginning at the time of his entering on his ſaid office with number one, and proceeding ſucceſſively, until the twenty fifth of March then next enſuing, and on the ſaid twenty fifth day of March, and every ſucceeding twenty fifth day of March, beginning again with the ſame number one, and proceeding progreſſively in numbers during the year then enſuing; and immediately after the ſaid cloth ſhall be meaſured, ſealed, and ſtamped, he ſhall enter in a book to be kept by ſuch deputy or ſubſtitute the name and place of abode of the maker, and the colour or ſort of ſuch cloth, together with the length, breadth, and number on the ſeal; which book ſhall be returned to the ſaid alnage office in Dublin once in every ſix months at the furtheſt, or oftener, if by the ſaid alnager or the firſt clerk in ſaid office required, and which ſeal ſhall be called the water ſeal; and the owner or maker of ſuch cloth ſhall on affixing ſuch water ſeal (if required) pay to ſuch deputy or ſubſtitute the ſubſidy of Alnage, and all fees which are due to the alnager for ſealing, and for meaſuring, ſearching, and viewing the ſame; and if any ſuch deputy or ſubſtitute ſhall refuſe to meaſure and ſtamp any ſuch cloth either with the ſaid water ſeal or the alnager's ſeal, or to give ſuch account, or ſhall give a falſe and fraudulent account of the cloths by him meaſured and ſtamped as aforeſaid, being convicted on the oath of one credible witneſs before any one of his Majeſty's juſtices of the peace, he ſhall for the firſt offence forfeit the ſum of forty ſhillings, and for the ſecond offence he ſhall loſe his place, and be for ever after incapable of being appointed a deputy alnager or ſubſtitute.

Deputies to meaſure old drapery while fully wet, and before put on tenters,

and immediately affix ſeal of lead, and ſtamp his name, length, and breadth, and number ſealed beginning with 1 for a year from every 25 March,

and book maker's name and abode, the colour or ſort, length, breadth, and number,

returned to officer once in 6 months, or oftener if required.

called water ſeal,

on affixing, the alnage and all fees paid,

refuſing to meaſure or ſtamp, or give account, or giving falſe, 1ſt offence ſhall forfeit 40s.

2d his place, and incapable.

A. D. 1779-80. Chap. 20.

Alnager may by order poſtpone the water ſeal, except in *Dublin* and 5 miles, ſave broad and narrow cloths,

not beyond 24 *June* 1782.

VI. And whereas the affixing the ſaid water ſeal may nevertheleſs be attended with difficulty in remote places, into which the woollen manufacture is not yet introduced, and in ſome ſpecies of goods not yet ſufficiently eſtabliſhed: be it enacted by the authority aforeſaid, that it may be lawful for the ſaid alnager by order under his hand and ſeal to poſtpone the execution of this act, ſo far as relates to the ſaid water ſeal only, within any diſtrict within this kingdom, except within the city of Dublin, and within five miles of the ſame, for any ſpecies of goods, except ſuch as are commonly called broad cloths and narrow cloths, and to any length of time, not going beyond the twenty fourth day of June one thouſand ſeven hundred and eighty two.

Alnage ſeal by 17 & 18 *C.* 2. c. 15. not taken away.

VII. Provided always, that nothing in this act ſhall take away, or be conſtrued to take away or ſuperſede, the neceſſity of the ſaid alnage ſeal, preſcribed by the ſaid act of the ſeventeenth and eighteenth of King Charles the ſecond.

Alnager to appoint inſpectors of tenters,

and ſtation to prevent falſe ſtamping and over ſtretching,

if found falſe above 2 inches in breadth, 1 yard in length, information in 7 days to a juſtice, who ſhall examine,

20*s.* on conviction,

entry by day into tenter grounds to ſearch for ſuſpected unduly ſtamped, ſtretched or ſtrained, or altered ſeals,

and ſuch wares meaſured,

VIII. And be it further enacted by the authority aforeſaid, that the ſaid alnager ſhall appoint the ſaid deputies or ſubſtitutes, or ſome other perſons of good character and repute, to be inſpectors of all woollen and other goods of the old and new drapery, and of the tenters and tenter grounds, where ſuch goods ſhall be tentered, and ſo ſtation them in ſuch diſtricts and in ſuch manner, as he ſhall think proper, to prevent the falſe ſtamping and over ſtretching of all woollen cloths, and to enforce the due obſervation of this act, which inſpectors ſhall be employed in viſiting ſuch tenter or tenter grounds. And if any ſuch inſpector ſhall find any of the ſaid goods falſely ſtamped by any of the ſaid deputies or ſubſtitutes in any broad or narrow cloth above two inches in breadth, or above one yard in length, he ſhall give information thereof within ſeven days to one of his Majeſty's juſtices of the peace, who ſhall examine the ſame, and on conviction every ſuch deputy or ſubſtitute ſhall forfeit for every ſuch offence twenty ſhillings, to be recovered as any other penalty is hereby directed to be recovered: and it ſhall be lawful for every ſuch deputy, ſubſtitute, or inſpector, as occaſion ſhall require, in the day time to enter into any tenter grounds of any manufacturer or other dealer in cloth to ſearch for any of the ſaid manufactures, which he ſhall ſuſpect to be falſely or unduly ſtamped, or to be ſtretched or ſtrained more than is allowed by this act, or any alteration made in the ſeals, and for the better diſcovering ſuch abuſes to cauſe ſuch wares to be meaſured, and in caſe of reſiſtance or refuſal by any perſon to permit ſuch in-

ſpector to enter the ſaid places for the purpoſes aforeſaid, the perſon ſo reſiſting ſhall forfeit five pounds on conviction before any juſtice of the peace; and if ſuch inſpector ſhall find any woollen cloth, after the time herein directed for ſealing thereof, without the ſeals hereby directed to be put thereon, or ſuch ſeal or ſeals defaced, counterfeited, or altered, except that it ſhall appear, that the ſame were accidentally loſt, or maliciouſly taken off, or that any of ſuch cloths appear by the ſaid ſeals to be over ſtretched either in breadth or length beyond the dimenſions allowed of, or that the name and place of abode or other marks of the maker ſhall be cut out or altered, in ſuch caſe the owner or perſon, in whoſe cuſtody ſuch cloth ſhall be found, ſhall for every ſuch offence forfeit ſuch ſum, as ſhall be awarded on complaint thereof, by any ſuch juſtice of the peace, not exceeding five pounds, or leſs than forty ſhillings: if the merchant or buyer of any ſuch cloth ſhall ſuſpect the real and true lengths and breadths not to be the ſame as ſtamped on the ſeal, he may for proof thereof have the liberty within ſix weeks of his buying the ſame, if ſuch cloth has not then been raiſed, dreſſed, or dyed, and upon two days notice given in writing to all the parties who meaſured and ſtamped the ſaid cloth, to put ſuch cloth into cold water for any time not exceeding four hours, and immediately, after the ſame ſhall be taken out, to cauſe the ſame to be meaſured by ſome ſworn deputy, ſubſtitute, or inſpector, and if upon ſuch admeaſurement there ſhall be found a leſs quantity in length or in breadth in more than one half part of the length thereof, than is mentioned in any of the ſeals, the deputy or ſubſtitute, who meaſured and ſtamped the ſaid cloth, being convicted of having wilfully and knowingly affixed ſuch falſe and fraudulent ſeals thereto, upon the oath of the officer who laſt meaſured the ſame, or of any other credible witneſs, before any one ſuch juſtice, for every ſuch offence forfeit, *viz.* for two inches in breadth, or one yard in length, that ſuch cloth ſhall fall ſhort of the meaſure marked on the ſeals, five ſhillings; and for every other inch in breadth or yard in length, ſo over ſtamped, ten ſhillings; whereupon ſuch ſecond admeaſurement the ſeal affixed ſhall be found not to contain the juſt length and breadth of ſuch cloth, the inſpector or other officer, who upon ſuch information and complaint meaſured the ſame, ſhall affix new ſeals thereto, which ſhall contain the true lengths and breadths of the ſaid cloth, and the length and number of yards ſo ſtamped on ſuch ſeals ſhall be the rule of payment for ſuch cloth by the merchant or buyer; ſave only that ſuch merchant or buyer

reſiſting, 5l.

if found without ſeals, or defaced, counterfeited, or altered unleſs loſt, or maliciouſly taken off,

or if over-ſtretched,

or marks cut out or altered,

forfeiture as awarded by ſuch juſtice, not above 5l. nor under 40s.

buyer may in 6 weeks (if not raiſed, dreſſed, or dyed) and 2 days written notice, put into cold water not above 4 hours,

and immediately after meaſure by ſworn deputy or inſpector,

if found leſs in length or breadth in more than one half of length, than in the ſeals, to forfeit 5s. for 2 inches in breadth or 1 yard in length ſhort of meaſure,

every other inch or yard overſtamped 10s.

where the ſeal contains not juſt meaſure, new ſeals affixed, which ſhall be the rule of payment,

buyer in order to diſcourage the vending or expoſing to ſale any ſuch cloth with ſuch fraudulent and defective ſeals may deduct and retain to himſelf out of the price the amount of ſo many yards as the ſaid cloth ſhall fall ſhort in inches of breadth, or yards in length, of the length and breadth expreſſed on the former fraudulent ſeal affixed by the maker; every offender againſt whom ſuch information ſhall be made as aforeſaid, may within two days after notice given him thereof go to the houſe of the merchant, buyer, or owner of the cloth in ſuch information mentioned, and requeſt to ſee the ſaid cloth, to examine that the crimes and facts charged be juſtly charged, and that no frauds have been committed by the merchant, buyer, or owner of the ſame; and upon their refuſing to permit him to ſee or examine ſuch cloth the proſecution ſhall ceaſe, and any conviction to be made thereupon ſhall be void.

buyer may deduct for ſo much as ſhort,

offender charged may in 2 days after notice go and requeſt to examine if true, and if no fraud,

on refuſal proſecution ſhall ceaſe.

IX. And be it enacted by the authority aforeſaid, that every clothier and maker of ſuch broad cloth ſhall at the time of making weave, ſtamp, or ſew into the head of the cloth in diſtinct letters or words, plainly to be read at length, his name and place of abode, and every maker of narrow woollen cloth the initial letters of his chriſtian and ſirname and the place of his abode; and if any clothier or maker ſhall after the twenty ninth day of September one thouſand ſeven hundred and eighty expoſe to ſale any cloth without ſuch ſeals, or without ſuch name or initial letters and place of abode as aforeſaid, being convicted on the oath of one credible witneſs before any of his majeſty's juſtices of the peace, he ſhall forfeit forty ſhillings for every ſuch piece without ſeals, and forty ſhillings for every ſuch piece without name and place of abode ſo ſtamped, ſewed, or woven into the ſame; and if any perſon ſhall willingly take off, alter, or counterfeit, deface, obliterate, or cut out any of the aforeſaid ſeals, or the figures, letters, or words therein ſtamped, or therein woven or ſewed, before the cloth be taken off the tenters and brought to the preſs; every perſon ſo offending, and every perſon in whoſe cuſtody any ſuch cloth without ſeals, or with the ſeals defaced, ſhall be found cut out or obliterated as aforeſaid, on being convicted as aforeſaid ſhall forfeit for any ſuch offence not leſs than forty ſhillings, or more than five pounds. If any perſon ſhall after the ſaid twenty ninth day of September next cauſe or procure to be ſtretched or ſtrained any whole or long broad cloth, or end or half broad cloth, or narrow cloth, more than one yard in length in every twenty yards, or more than one inch in every twelve inches, the whole yard in breadth

Name and abode at length of broad cloth makers at head of the cloth,

of narrow, initials and abode,

expoſing to ſale without ſeals 40s. *per* piece,

and without ſuch name and abode 40s.

defacing, counterfeiting, &c. ſeals, or the figures or letters, before taken off tenters,

offender, or perſon in whoſe cuſtody, forfeit not under 40s. nor above 5l.

ſtretching beyond length or breadth on lower ſeals, forfeit 10s. every quarter of yard, and 20s. every inch,

breadth containing thirty ſix inches only, and ſo in proportion for cloths that are more in length or breadth above or beyond the length or breadth of ſuch cloth upon the lower of ſuch ſeals expreſſed, being convicted by the oath of one credible witneſs before one or more of ſuch juſtices of the peace, he ſhall for every quarter of a yard in length, ſuch cloth ſhall be overſtretched, forfeit ten ſhillings, and for every inch in breadth, twenty ſhillings, to be recovered as the other penalties herein before mentioned are directed: and for the better and more eaſy diſcovery of the undue ſtretching and ſtraining of cloth every owner or propietor of any tenter ſhall meaſure ſuch tenters, as ſhall be made uſe of for tentering of cloth, and mark in figures, fair and plain to be ſeen, the true length of yards, computing thirty ſeven inches to each yard at each tenter, beginning at No. I. and ſo continuing it to the end thereof, marking and numbering each yard diſtinctly plainly and fairly to be ſeen on the top bar, or on the fore ſide thereof; and if ſuch tenter ſhall after the twenty ninth of September next be found not to be meaſured and marked and numbered as aforeſaid, the occupier ſhall forfeit five ſhillings for each tenter, to be levied and recovered as any other penalty is hereby directed. Information upon oath ſhall be given of the offences mentioned in this act, within twenty days after the offence ſhall be diſcovered; and all the offences in this act mentioned (except ſuch for which ſome other remedy is hereby provided) ſhall be enquired of and determined, and convictions thereupon made upon oath of one or more credible witneſſes by any one or more juſtices of the peace, notice being firſt given to the perſons charged.

tenters meaſured,

true length of yards, 37 inches each, marked and numbered, plainly,

penalty 5s. each tenter,

information on oath in 20 days after diſcovery of offences,

all offences, ſave other remedy, determined on oath of 1 or more witneſſes,

notice 1ſt given.

X. And be it further enacted by the authority aforeſaid, that the ſeveral fines and penalties impoſed by this act, and by the ſaid alnage act, (unleſs where otherwiſe diſpoſed of by ſaid acts,) ſhall be paid, one moiety to the informer, the other to the Dublin Society, by them to be applied to the protection and encouragement of the woollen manufacture: and if any offender ſhall by the ſpace of ten days after conviction, and notice given at his dwelling houſe or place of abode, refuſe or neglect to pay ſuch forfeiture, or ſhall not appeal to the quarter ſeſſions, the juſtice or juſtices, before whom ſuch conviction ſhall be made, or any other juſtice or juſtices of the peace, upon a certificate of ſuch conviction from ſuch juſtice or juſtices, are required to iſſue their warrant for levying the ſame by diſtreſs and ſale (returning the overplus after paying the charges to the offender) and where no ſufficient diſtreſs can be found, to commit the offender to the houſe of correction for any time not exceeding three months:

Penalties, ſave otherwiſe diſpoſed, to informer and *Dublin* ſociety, for woollen manufacture,

on non payment 10 days, and notice, or no appeal, juſtices convicting, or others on their certificate, ſhall iſſue warrant to levy by diſtreſs and ſale,

if none, committed not above 3 months,

A. D. 1779-80. Chap. 20.

months: if any perſon ſhall find himſelf aggrieved by any order or warrant of any juſtice or juſtices, or upon any conviction before them in purſuance of this act, he may appeal to the next general quarter ſeſſions for the county, or county of the city or town, which ſhall not be held within fourteen days next after the cauſe of appeal ſhall ariſe, giving ten days notice of ſuch appeal to the perſon diſcovering the offence, upon which the conviction was made, and the juſtices at the ſaid quarter ſeſſions either confirm or diſannul the ſaid orders or proceedings, they ſhall allow ſuch coſts and charges to the party aggrieved thereby, as they ſhall think reaſonable, to be levied and paid as is uſual in caſes of appeal from any other of the juſtices of the peace to the ſeſſions, and their orders ſhall be final.

appeal to next ſeſſions, not held in 14 days after cauſe ariſes, 10 days notice of appeal,

reaſonable coſts, paid as uſual on appeal.

XI. And whereas by the ſaid act of the ſeventeenth and eighteenth of Charles the ſecond the ſaid alnager, his deputy or ſubſtitute, are directed to cut or jagg at both ends all ſuch goods and wares, as ſhall be found defective and deceitfully made: be it enacted by the authority aforeſaid, that the ſaid cutting or jagging may not be above three inches deep at either end, or ſo as farther to injure or deſtroy ſuch piece.

Alnager not to cut or jag purſuant to 17 & 18 *C.* 2. c. 15. above 3 inches deep.

XII. and whereas by the ſaid act it is enacted, that no perſon ſhall preſs any of the commodities aforeſaid by preſſing in a hot preſs, or by heating of thick boards or planks, and laying the ſame under or above the ſaid goods, and that every perſon ſo preſſing any kind or ſort of woollen cloths, or with any other the like ſubtile and deceitful means, ſhall forfeit the ſame: be it enacted by the authority aforeſaid, that the ſaid proviſions may be repealed.

17 & 18 *C.* 2. c. 15. ſ. 7. repealed.

XIII. And be it further enacted by the authority aforeſaid, that no deputy, ſubſtitute, or ſuperviſor ſhall preſume to take any ſum of money, fee, reward, or other gratification for or on account of any goods, which have not been ſearched, viewed, examined, tried, ſealed, or jagged, other than is directed by law, or to abſtain from ſuch ſearch, view, examination, trial, ſealing, or jagging; and if any ſuch perſon ſhall offend therein, he ſhall on conviction before any juſtice of peace as aforeſaid be fined forty ſhillings; on a ſecond conviction ſhall be rendered incapable of ever executing again the ſaid office of deputy, ſubſtitute, ſearcher, or ſuperviſor.

No fee for goods not tried, ſealed, &c.

not to abſtain therefrom, or fined 40s.

on 2d conviction, incapable.

XIV. And be it further enacted by the authority aforeſaid, that every manfacturer of ſtuffs, ſerges, camblets, calimancoes, everlaſtings, ſattinets, worſted damaſks, moreens, paragons, kid-

New drapery, and all other put under alnager's direction,

derminſters,

derminſters, bumbazeens, crapes, poplins, tabinets, and all other articles commonly called new drapery, or which are made of worſted or of wool, and ſilk or wool, and linen or cotton yarn, and all other manufactures put under the direction of the ſaid alnage officer, ſhall have free liberty to make the ſame of ſuch length, breadth, and weight, as he ſhall think fit.

may be made of length, breadth, and weight, as thought fit.

XV. Provided nevertheleſs, that each of ſaid pieces be made and ſtamped after the twenty ninth day of December next ſhall not be leſs than fifteen inches in breadth.

Each piece after 29 *Dec.* not under 15 inches broad.

XVI. Provided alſo, that every ſuch maker or manufacturer ſhall at the time of making ſtamp, weave, or ſew into the head of every piece of ſuch goods in diſtinct letters, plainly to be read, the initial letters of his chriſtian and ſir-name, and the place of his abode; and in caſe of any omiſſion or neglect thereof ſuch perſon ſhall be ſubject to ſuch complaint, conviction, and fine, and ſo to be diſpoſed of, as is herein before enacted with reſpect to perſons omitting to make ſuch marks in broad or narrow woollen cloths.

Initials of name, and abode, in head of every piece,

or ſubject as on like omiſſion in broad or narrow woollens.

XVII. And be it enacted by the authority aforeſaid, that all ſuch goods when finiſhed ſhall be meaſured, and ſealed with ſuch leaden ſeal, as aforeſaid by ſuch deputy or ſubſtitute; on which ſeal ſhall be ſtamped in words and figures plainly to be read, his name, and the length and breadth of ſuch goods, and the number of the threads and beers in ſaid piece, together with the number of the ſaid piece, as alſo with the ſaid alnager's ſeal.

When finiſhed, meaſured and ſealed as aforeſaid.

with name, length and breadth, number of threads and beers, the number, and alnager's ſeal.

XVIII. And be it enacted by the authority aforeſaid, that all perſons, who ſhall ſell or expoſe to ſale ſtock cards, commonly made uſe of for ſcribbling wool, and which are called fifty fours, ſixties, ſeventies, eighties, nineties, and one hundreds, ſhall make or cauſe to be made the ſame, ſo as to contain the full number of wires in the denomination, under which they are ſold; and that every perſon ſelling or expoſing ſuch to ſale, not fairly made as aforeſaid, ſhall for every ſuch offence forfeit the ſum of forty ſhillings, to be recovered in a ſummary manner before any juſtice of the peace, and to be applied as aforeſaid.

Stock-cards for ſcribbling wool ſhall contain the number of wires in the denomination under which ſold,

penalty 40*s.* before any juſtice ſummarily.

CHAP.

A. D. 1779-80.

CHAP. XXI.

An act to amend and continue an act passed in the seventeenth and eighteenth years of the reign of his present Majesty, entitled, *An act to amend and continue an act passed in the thirteenth and fourteenth years of his present Majesty*, entitled, *An act for the better regulation of the baking trade in the city of Dublin, and for other purposes.*

13 & 14 G. 3. c. 47. s. 18. recited,

WHEREAS by an act passed in the thirteenth and fourteenth years of his present Majesty, entitled, *An act for the better regulation of the baking trade in the city of Dublin*, it is among other things enacted, that in case the lord mayor and seneschals respectively in striking such assize shall find, that it will raise the price of bread to take flour into the assize, then and in such case they shall respectively strike the assize upon the middle price of wheat only; but if they shall find, that the price of bread will be lessened by taking flour into the assize, then and in such case the assize shall be struck according to the middle price of wheat and the medium price of all kinds of flour, brought to the market, taken together, and twenty eight stone and a half of such flour shall be deemed equal to a quarter of wheat: now whereas it has been found by fair and accurate accounts of the quantity of flour and wheat bought in the market by the bakers, that this mode of assize is unequal with respect to the bakers: therefore be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from the twenty fourth day of August one thousand seven hundred and eighty the lord mayor and seneschals respectively shall strike the assize according to the middle price of wheat and the medium price of all kinds of flour (brought to the market of Dublin and sold to bakers) taken together, and of which flour twenty eight stone and a half shall be deemed equal to a quarter of wheat.

assize thereby unequal as to bakers,

assize struck by middle price of wheat and of all flour brought to *Dublin* market and sold to bakers, 28 stone and ½ to quarter of wheat.

II. And be it further enacted by the authority aforesaid in order to prevent any unfair practice to the injury of the publick, that if there shall at any time be reason to suspect, that there is any combination or practice to raise the price of bread, then and in such case it shall be lawful for the lord mayor with the concurrence of the president of the court of conscience, and

On suspicion of practice to raise bread lord mayor with president of court of conscience and the 2 members, or

the

A. D. 1779-80.

the two repreſentatives of the city of Dublin in Parliament, or any two of the ſaid three, and in conſequence for the ſaid ſeneſchals, to revert to the mode of entry directed by the ſaid recited clauſe.

any 2, and ſeneſchals, may revert to the mode by ſaid act.

III. And be it enacted by the authority aforeſaid, That the ſaid in part recited act, and one other act for amending the ſame, paſſed in the ſeventeenth and eighteenth years of his preſent Majeſty, together with this preſent act, and every clauſe in ſaid acts, except as herein is amended, ſhall continue in force for two years from the twenty fourth day of June, one thouſand ſeven hundred and eighty, and unto the end of the then next ſeſſion of Parliament.

13 & 14 *G.* 3. c 47. and 17 & 18 *G.* 3. c. 17. and this act, ſave as herein amended, continued 2 years from 24 *June* 1780, & by 21 & 22 *G.* 3. c. 40. to 1787, &c.

CHAP. XXII.

An Act to amend a Miſtake in an Act paſſed in the Thirteenth and Fourteenth Years of His preſent Majeſty, entitled, *An Act for amending the Publick Roads.*

WHEREAS by an act paſſed in the thirteenth and fourteenth years of his preſent Majeſty, entitled, *An act for amending the publick roads*, an act paſſed in the fifth year of his preſent Majeſty, entitled, *An act for the more effectually amending the publick roads*, and every clauſe therein contained, except the clauſe for repealing the ſeveral acts of Parliament therein particularly mentioned, and except ſuch part thereof as relates to the county of Dublin, was repealed: and whereas a clauſe in the ſaid act for enabling any perſon or perſons, who now have or hereafter ſhall have any ferry over any river, to erect and ſupport a bridge at his or their own expence over ſuch river in the place of ſuch ferry, and to take and receive for paſſing ſuch bridge ſuch toll, and no more, as they are entitled to receive for paſſing ſuch ferry, was by miſtake repealed: and whereas it has been found neceſſary and expedient to revive and continue ſaid clauſe: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of

Such part of 13 & 14 *G.* 3. c. 32. as repeals 5 *G.* 3. c. 14. ſ. 17. is hereby repealed.

A. D. 1779-80. Auguſt, one thouſand ſeven hundred and eighty, ſuch part of the ſaid act, as repeals the ſaid clauſe, ſhall be and it is hereby repealed, and made null and void.

Said clauſe revived, notwithſtanding 13 & 14 G. 3. c. 32.

II. And be it further enacted by the authority aforeſaid, That the ſaid clauſe, and every thing therein contained, ſhall be and the ſaid clauſe is hereby revived, and ſhall be and continue in full force, any thing in the ſaid act of the thirteenth and fourteenth years of the reign of his preſent Majeſty to the contrary notwithſtanding.

CHAP. XXIII.

An Act for regulating and extending the Tobacco Trade.

Expired 25 Dec. 1781.

WHEREAS tobacco is ſubject upon import into this kingdom to the duties following, that is to ſay, two pence half penny *per* pound hereditary duties, and three pence halfpenny *per* pound additional duty, and will from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, be ſubject to a further additional duty of one penny and ſixty three one hundred parts of one penny *per* pound, making in the whole ſeven pence and ſixty three one hundred parts of one penny *per* pound, with the uſual allowances or diſcounts out of ſaid hereditary duties and firſt additional duty: and whereas it may tend much to the encouragement of the tobacco trade, if importers thereof be allowed time for payment of part of the duties in manner herein after mentioned: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for every perſon, importing tobacco into this kingdom between the twenty fourth day of June, one thouſand ſeven hundred and eighty, and the twenty fifth day of December, one thouſand ſeven hundred and eighty one incluſive, in lieu of paying down the ſaid ſeveral duties with their diſcounts (if ſuch perſon ſhall ſo deſire) to pay and ſecure upon importation thereof the ſums following, that is to ſay, every ſuch perſon ſhall pay down in ready money upon import a net duty after the rate of five pounds nineteen ſhillings and eighteen twentieth parts of one penny and one half of a twentieth for every one hundred pounds value of ſuch tobacco, as the ſame is rated for exciſe in this kingdom, and ſhall alſo become bound to his Majeſty, his heirs and ſucceſſors, with one or more ſufficient ſureties, to be approved of by the collector of the port where the tobacco ſhall be imported, with the conſent of the ſurveyor of ſuch port, in one or more bond or bonds, at the election of the importer, for the payment of a further duty, after

the

the rate of thirty three pounds fifteen ſhillings and three pence ſix twentieth parts of one penny, two thirds of one twentieth, for the ſaid quantity of tobacco, within eighteen months, the ſaid eighteen months to commence at the end of thirty days after the maſter's report of the ſhip, or to commence from the merchant's entry of the goods within ſaid thirty days, which ever ſhall firſt happen.

II. Provided always, That any perſon not being a native of Great Britain or Ireland, who ſhall import tobacco, ſhall pay after the rate of ſeven pounds ſeven ſhillings and ſixpence three twentieth parts of onepenny, and one third part of a twentieth, in lieu of the rate aforeſaid, of five pounds nineteen ſhillings and eighteen twentieth parts of one penny and one half of a twentieth.

III. Provided always, and in as much as ſeveral merchants and others importing tobaccos may be frequently under difficulties, and unable to give good and ſufficient ſecurities for the payment of the ſaid duty herein allowed to be ſecured, and the putting of the ſame into proper warehouſes may not only be an eaſe and convenience to the importer thereof, but alſo a ſecurity to his Majeſty's revenue: be it enacted by the authority aforeſaid, That from and after the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, any perſon importing tobacco, who ſhall have paid down in ready money a net duty for the ſame after the rate of five pounds nineteen ſhillings and eighteen twentieth parts of one penny and one half of a twentieth, or of ſeven pounds ſeven ſhillings and ſixpence three twentieth parts of a penny and one third part of a twentieth, for every one hundred pounds value thereof according to the rate aforeſaid, and ſhall then deſire to have the ſaid tobacco put into warehouſes under the King's and merchant's locks for the ſecurity of the remainder of the duties, the merchant or merchants, or his or their ſervants ſhall have free acceſs into the ſaid warehouſes at all ſeaſonable times, and the cuſtom houſe officers are hereby required to attend without fee or reward; and it ſhall and may be lawful for the commiſſioners or principal officers of his Majeſty's revenue to permit and cauſe the ſaid tobacco to be lodged and put into warehouſes to be provided by and at the charge of the merchant or merchants, and to be firſt approved by the ſaid commiſſioners or officers, upon the merchant or merchants giving his or their own bond for payment of the duties at the end of fifteen months; and if the importer or importers of ſuch tobacco, as has been ſo lodged in the warehouſes, ſhall not within the ſaid time of fifteen months offer good and ſufficient ſecurity for payment of the duties at the end of the ſaid eighteen months, or by debentures on ex-

A. D. 1779-80. Chap. 23.

portation of ſuch tobacco, or payment of the ſeveral duties for which his or their own bond or bonds hath or have been given, diſcharge his or their obligations, but that the tobacco or any part thereof ſhall continue and be ſtill remaining in the ſaid warehouſes for want of the payment of the duties due thereon; in ſuch caſe it ſhall and may be lawful for the ſaid commiſſioners or principal officers of his Majeſty's revenue for the time being, and who are hereby required and impowered, to cauſe the ſaid tobacco ſo remaining to be publickly ſold by inch of candle, firſt giving the proprietor or proprietors fourteen days notice, or leaving the ſame in writing at the place of his or their laſt abode, the product thereof after ſuch ſale firſt to be applied towards payment of the ſaid bond or bonds of the merchant or merchants, and the charges that have been expended by means of ſuch warehouſing and ſale, and the overplus, if any, to be rendered and paid to the proprietor or other perſon lawfully authorized to receive the ſame.

IV. Provided always, That in caſe any tobacco put in the ſaid warehouſes, and ſo locked up as aforeſaid, ſhall be burnt or deſtroyed by fire, during the time it remains in the ſaid warehouſes, the proprietor or owners of ſuch tobacco ſhall be allowed the duties paid, and the bond ſhall be diſcharged for ſo much thereof, as ſhall have been ſo burned or deſtroyed.

V. And whereas great frauds may ariſe to the diminution of his Majeſty's revenue by warehouſing tobacco as aforeſaid in ports, where there are or ſhall not be a ſufficient number of revenue officers to attend the ſame: be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of June, one thouſand ſeven hundred and eighty, that it ſhall and may be lawful for the commiſſioners of his Majeſty's revenue, or any four of them, from time to time, and as often as they ſhall ſee occaſion, to prohibit, for ſuch time as they ſhall think proper, by notice under their hands, which notice ſhall be publiſhed in the gazette, and ſome other publick news paper, and be likewiſe ſent to the chief officer of the port or ports therein mentioned, any tobacco imported at any port to be mentioned in ſuch notice, except the port of Dublin, Drogheda, Dundalk, Newry, Belfaſt, Derry, Galway, Limerick, Cork, Waterford, Wexford, and Wicklow, to be warehouſed; and that from and after ſuch notice during the time therein mentioned, no importer of tobacco at any ſuch port ſhall deſire the ſame to be lodged in a ware-

houſe there, or take any benefit by virtue of any thing in this act contained in reſpect of warehouſing the ſame; but every ſuch importer ſhall pay down the duties, or pay the duty, and give the ſecurity for paying the further duty, at the end of eighteen months as herein before enacted.

VI. And be it enacted by the authority aforeſaid, That in caſe any tobacco, which ſhall have been entered, and the duties thereof paid, or partly paid and partly ſecured in manner aforeſaid, ſhall from and after the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, be exported from this kingdom, the exporter ſhall upon the exportation thereof within three years, on a proper debenture to be made forth for that purpoſe, be paid or allowed to draw back the whole net duty actually paid by him on the import thereof, and to have the ſecurity vacated on the bond or bonds given on the importation, and no more, as to what ſhall be ſo exported; any law or cuſtom to the contrary notwithſtanding.

VII. Provided always, That no drawback ſhall be given after the twenty fifth day of December, one thouſand ſeven hundred and eighty one, of any duties paid on tobacco imported previous to the twenty fourth day of June, one thouſand ſeven hundred and eighty.

VIII. Provided alſo, and be it enacted by the authority aforeſaid, That if any importer or proprietor of tobacco, that hath given ſecurity as aforeſaid, ſhall be deſirous to diſcharge his bond or bonds, or any part thereof, in ready money ſooner than the expiration of eighteen months from the date hereof, he ſhall be abated upon ſuch bond or bonds ſo much, as the diſcount at the rate of ſeven *per centum per annum* ſhall amount to in proportion to the time unexpired.

IX. And be it enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, all bonds to be given for ſecuring the duties by virtue of this act ſhall be deemed and taken to be due and payable immediately upon the day mentioned in the condition of the ſaid bond for the payment thereof; and that the legal intereſt ſhall be paid to the crown on all ſuch bonds; ſuch intereſt be computed from the day the bond becomes due unto the day whereon it ſhall be paid off in money, or the day the ſearcher certifies upon the debenture, that the tobacco was ſhipped for exportation, notwithſtanding ſuch tobacco doth or ſhall remain unexported, and the three years being the time limited by law for the drawback on exportation ſhall not be expired, and no ſuch ſecurity ſhall be vacated, until all ſuch intereſt ſhall be paid thereon.

A. D. 1779-80. Chap. 23.

portation of ſuch tobacco, or payment of the ſeveral duties for which his or their own bond or bonds hath or have been given, diſcharge his or their obligations, but that the tobacco or any part thereof ſhall continue and be ſtill remaining in the ſaid warehouſes for want of the payment of the duties due thereon; in ſuch caſe it ſhall and may be lawful for the ſaid commiſſioners or principal officers of his Majeſty's revenue for the time being, and who are hereby required and impowered, to cauſe the ſaid tobacco ſo remaining to be publickly ſold by inch of candle, firſt giving the proprietor or proprietors fourteen days notice, or leaving the ſame in writing at the place of his or their laſt abode, the product thereof after ſuch ſale firſt to be applied towards payment of the ſaid bond or bonds of the merchant or merchants, and the charges that have been expended by means of ſuch warehouſing and ſale, and the overplus, if any, to be rendered and paid to the proprietor or other perſon lawfully authorized to receive the ſame.

IV. Provided always, That in caſe any tobacco put in the ſaid warehouſes, and ſo locked up as aforeſaid, ſhall be burnt or deſtroyed by fire, during the time it remains in the ſaid warehouſes, the proprietor or owners of ſuch tobacco ſhall be allowed the duties paid, and the bond ſhall be diſcharged for ſo much thereof, as ſhall have been ſo burned or deſtroyed.

V. And whereas great frauds may ariſe to the diminution of his Majeſty's revenue by warehouſing tobacco as aforeſaid in ports, where there are or ſhall not be a ſufficient number of revenue officers to attend the ſame: be it further enacted by the authority aforeſaid, That from and after the twenty fifth day of June, one thouſand ſeven hundred and eighty, that it ſhall and may be lawful for the commiſſioners of his Majeſty's revenue, or any four of them, from time to time, and as often as they ſhall ſee occaſion, to prohibit, for ſuch time as they ſhall think proper, by notice under their hands, which notice ſhall be publiſhed in the gazette, and ſome other publick news paper, and be likewiſe ſent to the chief officer of the port or ports therein mentioned, any tobacco imported at any port to be mentioned in ſuch notice, except the port of Dublin, Drogheda, Dundalk, Newry, Belfaſt, Derry, Galway, Limerick, Cork, Waterford, Wexford, and Wicklow, to be warehouſed; and that from and after ſuch notice during the time therein mentioned, no importer of tobacco at any ſuch port ſhall deſire the ſame to be lodged in a ware-

houſe there, or take any benefit by virtue of any thing in this act contained in reſpect of warehouſing the ſame; but every ſuch importer ſhall pay down the duties, or pay the duty, and give the ſecurity for paying the further duty, at the end of eighteen months as herein before enacted.

VI. And be it enacted by the authority aforeſaid, That in caſe any tobacco, which ſhall have been entered, and the duties thereof paid, or partly paid and partly ſecured in manner aforeſaid, ſhall from and after the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, be exported from this kingdom, the exporter ſhall upon the exportation thereof within three years, on a proper debenture to be made forth for that purpoſe, be paid or allowed to draw back the whole net duty actually paid by him on the import thereof, and to have the ſecurity vacated on the bond or bonds given on the importation, and no more, as to what ſhall be ſo exported; any law or cuſtom to the contrary notwithſtanding.

VII. Provided always, That no drawback ſhall be given after the twenty fifth day of December, one thouſand ſeven hundred and eighty one, of any duties paid on tobacco imported previous to the twenty fourth day of June, one thouſand ſeven hundred and eighty.

VIII. Provided alſo, and be it enacted by the authority aforeſaid, That if any importer or proprietor of tobacco, that hath given ſecurity as aforeſaid, ſhall be deſirous to diſcharge his bond or bonds, or any part thereof, in ready money ſooner than the expiration of eighteen months from the date hereof, he ſhall be abated upon ſuch bond or bonds ſo much, as the diſcount at the rate of ſeven *per centum per annum* ſhall amount to in proportion to the time unexpired.

IX. And be it enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, all bonds to be given for ſecuring the duties by virtue of this act ſhall be deemed and taken to be due and payable immediately upon the day mentioned in the condition of the ſaid bond for the payment thereof; and that the legal intereſt ſhall be paid to the crown on all ſuch bonds; ſuch intereſt be computed from the day the bond becomes due unto the day whereon it ſhall be paid off in money, or the day the ſearcher certifies upon the debenture, that the tobacco was ſhipped for exportation, notwithſtanding ſuch tobacco doth or ſhall remain unexported, and the three years being the time limited by law for the drawback on exportation ſhall not be expired, and no ſuch ſecurity ſhall be vacated, until all ſuch intereſt ſhall be paid thereon.

A. D. 1779-80. Chap. 23.

X. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the chancellor, treaſurer, lord chief baron, and other the barons of his Majeſty's court of exchequer, or any or either of them, to grant his or their *fiat* for the iſſuing of proceſs of immediate extent againſt any perſon or perſons, who ſhall have given his or their bond or bonds to the crown for duties on tobacco, although the day mentioned in the condition of the ſaid bond or bonds for payment be not come, upon an affidavit laid before him or them by one of the ſecurities, or executor or adminiſtrator of ſuch ſecurity, that the perſon bound to the crown in ſuch bond is decayed in his circumſtances, and that the crown's debt is in danger of being loſt, unleſs ſome more ſpeedy method than the uſual way of proceeding be forthwith had for the recovery thereof; and if the crown recovers the money due on ſuch bond, before the day of payment ſhall become due, the obligor is to be allowed out of the money ſo recovered a diſcount after the rate of ſeven pounds *per centum per annum* in proportion to the time unexpired.

XI. And be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, no allowance ſhall be made to the importer for or in conſideration for any damaged or mean tobacco either at the ſcale or otherwiſe: but in caſe any merchant or other perſon ſhall refuſe to enter, pay, or ſecure the duties aforeſaid for ſuch tobacco, then he or they ſhall have liberty to refuſe the ſame, or to ſeparate ſuch damaged tobacco by cutting off from the hogſhead or other package ſo much thereof, as he or they ſhall refuſe to pay duty for; and the principal officers of his Majeſty's revenue reſident at the port, where ſuch damaged tobacco ſhall be landed, or any two or more of them, ſhall cauſe all ſuch tobacco to be burned and deſtroyed without making any allowance to ſuch importer for freight or other charges, other than the allowances hereafter in this act provided for; any law or cuſtom to the contrary notwithſtanding.

XII. Provided always, That no merchant or other perſon ſhall have liberty to ſeparate the ſtalk from the leaf, on pretence that the ſame is damaged or mean tobacco.

XIII. And be it enacted by the authority aforeſaid, That no drawback ſhall be allowed for any tobacco ſtalks or ſtems exported by themſelves, when they have been or ſhall be ſeparated from the reſt of the leaf, any law to the contrary notwithſtanding.

XIV. And

XIV. And be it further enacted by the authority aforeſaid, That every maſter, commander, or other perſon or perſons taking charge of any ſhip or veſſel having tobacco loaden on board at any port or place whatſoever in Great Britain, or any of his Majeſty's plantations in America, ſhall upon his arrival at his port of diſcharge in this kingdom, and at the time that he makes his report of his ſhip at the cuſtom houſe, deliver to the collector of the ſaid port (who is hereby required and directed to deliver the ſame to the land waiters appointed for the delivery of ſuch ſhip or veſſel) the manifeſt or content of the lading of his ſhip or veſſel, which he received from the collector, comptroller, or other officer of the cuſtoms at the port or other place, where he took in his lading; and if any maſter, commander, or other perſon or perſons taking charge of any ſuch ſhip or veſſel, ſhall neglect or refuſe to deliver ſuch manifeſt or content to the collector of the port, at the time he makes his report of his ſhip at the cuſtom houſe at the port of his diſcharge, he and they ſhall forfeit and loſe the ſum of one hundred pounds.

XV. And be it further enacted by the authority aforeſaid, That the land waiters appointed for the delivery of every ſhip or veſſel arriving at any port or place in this kingdom from Great Britain, or any of his Majeſty's plantations in America, having tobacco on board, ſhall not ſuffer any part of the tobacco on board any ſhip or veſſel to be landed, until they have from and agreeable to the manifeſt delivered to them by the collector entered into their reſpective books (given them by the directions of the commiſſioners of his Majeſty's revenue for keeping accounts of goods by them delivered or ſuffered to be delivered from on board ſuch ſhip) the ſaid ſeveral and reſpective manifeſts, and the marks, numbers, weights, tares, and contents of the ſeveral hogſheads, caſks, cheſts, and other packages therein expreſſed, under the penalty of the forfeiture of fifty pounds; and the ſaid land waiters are hereby authorized and required upon the landing of any ſuch tobacco to cauſe ſuch landing mark to be fixed and ſet upon every hogſhead, caſk, cheſt, or other package whatſoever containing the ſame, as ſhall be directed by the commiſſioners of the revenue aforeſaid; and the ſaid land waiters are hereby alſo required to enter every ſuch landing mark in their ſeveral books aforeſaid on pain of forfeiting the ſum of fifty pounds.

A. D. 1779-80. Chap. 23.

XVI. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, no debenture ſhall be made forth for any tobacco imported into this kingdom after the ſaid twenty fourth day of June one thouſand ſeven hundred and eighty, or any drawback be paid or allowed for the ſame when exported or entered outwards for exportation to any part or parts beyond the ſeas, unleſs the ſame and every part thereof be ſhipped and exported from the very ſame port or place, at which ſuch identical tobacco was at firſt originally imported into this kingdom, and no other; and alſo unleſs the ſame identical tobacco if unmanufactured and every part thereof be ſhipped and exported in the original package, with the ſame marks in and with which it was at firſt imported into this kingdom, and no other, without any alteration whatſoever being made in the package, (except ſuch as ſhall be occaſioned by neceſſary cooperage for the repair of the ſaid package,) or any other tobacco being put therein, or any part of the tobacco, being removed or taken out of the package in which it was at firſt imported, except only ten pounds weight of tobacco, which ſhall be allowed to be taken out of each hogſhead, caſk, caſe, or other package after the ſame is weighed at importation; and if any perſon or perſons whatſoever ſhall enter any tobacco for exportation at any other port or place, than that at which the ſame identical tobacco was imported, or in any other caſk or package than the ſame, in which the ſame unmanufactured tobacco was originally imported, or without the ſame marks, all ſuch tobacco ſhall be forfeited, and no drawback thereupon ſhall be paid, or, if any ſhall be paid, the ſame ſhall be repaid, and the perſon, who entered or cauſed the ſame to be entered, ſhall forfeit the ſum of two hundred pounds; and whoever ſhall knowingly export beyond the ſeas any hogſhead or other package of tobacco, out of which more than ten pounds weight of tobacco has been taken for ſamples, he, ſhe, and they, ſo offending, ſhall forfeit and loſe the ſum of twenty pounds for every ſuch hogſhead or other package of tobacco ſo exported.

XVII. And be it further enacted by the authority aforeſaid, That no tobacco ſhall be imported or brought into this kingdom, from any of his Majeſty's plantations in America otherwiſe than in caſk, cheſt, or caſe only; each caſk, cheſt, or caſe ſhall contain four hundred and fifty pounds weight of neat tobacco at the leaſt, under the penalty of the forfeiture of all ſuch tobacco, as ſhall be imported

ported contrary to this act, together with caſks, cheſts, caſes, and other package containing the ſame.

XVIII. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That when any unmanufactured tobacco is imported in hogſheads or caſks into this kingdom, if upon the landing and examination thereof it ſhall appear, that the tobacco contained in any of ſuch hogſheads or caſks is ſo much damaged, that by cutting off the damaged part thereof, for which no duty is paid, the ſound tobacco remaining in any of ſuch hogſheads, for which duty is to be paid, is under the weight of four hundred and fifty pounds, then and in ſuch caſe it ſhall and may be lawful for the importer or importers thereof in the preſence of the land waiters appointed to deliver the ſhip, in which the ſame was imported, to cauſe all ſuch ſound tobacco to be put together in one or more of the ſame hogſheads, out of which the damaged tobacco was taken; and the ſaid land waiters, or the other proper officers, are hereby directed and required to enter into their reſpective books the true and exact weight of all ſuch ſound tobacco put into each and every ſuch hogſhead, with the ſeveral and reſpective marks and numbers ſet on each and every ſuch hogſhead, and alſo to note and ſpecify in their books, that ſuch hogſheads were packed and refilled in their preſence; and all and every ſuch hogſheads of unmanufactured tobacco ſhall and may be exported from the ſame ports, and no other, at which they were originally imported; and debentures ſhall be made out, and the drawback be paid, for the tobacco therein contained, (provided the quantity of the tobacco in each ſuch hogſhead amounts to four hundred and twenty five pounds weight or more,) in the ſame manner and form to all intents and purpoſes as if the package of ſuch tobacco had not been altered; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

XIX. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty all and every perſon and perſons, who ſhall enter any unmanufactured tobacco outwards, except unmanufactured tobacco imported before the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, at any port or place in this kingdom, in order to be ſhipped and exported in any ſhip or veſſel whatſoever to any part or parts beyond the ſeas, ſhall, before the ſame or any part thereof is

A. D. 1779-80. Chap. 23.

laden on board any ſhip or veſſel to be exported, endorſe upon the cocket and bill, (to be delivered to the proper officer or officers appointed to examine tobacco ſhipped for exportation,) in a fair, diſtinct, and legible manner, the mark and number as contained in the manifeſt, which was upon each and every hogſhead, caſk, cheſt, or other package of ſuch tobacco, at the time when the ſame was firſt imported into this kingdom, and alſo the landing mark or number which was placed and ſet upon each and every hogſhead, caſk, cheſt, or other package thereof, when the ſame was firſt landed in this kingdom, together with the exact weight that each and every hogſhead, caſk, cheſt, or other package with the tobacco therein contained was of at the time of its being landed in this kingdom, and alſo the particular mark and number ſet upon each hogſhead, caſk, cheſt, or other package thereof, by the exporter or exporters thereof, at the time the ſame ſhall be brought to the water ſide to be ſhipped for exportation, together with the then weight which each particular hogſhead, caſk, cheſt, or other package, and the tobacco therein contained, ſhall be of at the time it is ſo entered for exportation, and the officer ſhall not admit any cocket unleſs marked as aforeſaid; and all and every exporter and exporters of tobacco ſhall alſo from and after the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, write off, and they are hereby required and directed to write off, the weight of each hogſhead, caſk, cheſt, or other package of unmanufactured tobacco, by him, her, or them exported from any port of this kingdom to any part or parts beyond the ſeas, from the identical and particular entry made of each and every ſuch hogſhead, cheſt, or other package of ſuch unmanufactured tobacco, at the time when it was firſt imported into this kingdom; and if any perſon or perſons whatſoever, who after the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, ſhall enter outwards for exportation to any part or parts beyond the ſeas from any port or ports of this kingdom any unmanufactured tobacco, ſhall neglect or refuſe to endorſe upon the cocket and bill for the ſaid tobacco delivered to the proper officer in a fair, diſtinct, and legible manner, all and each and every of the ſeveral and reſpective marks, numbers, and weights herein before mentioned and deſcribed, and in the manner and form the ſame is hereby required and directed to be done, or who ſhall neglect or refuſe to write off the weight of each hogſhead, caſk, cheſt, or other package of unmanufactured tobacco, by him, her, or them exported, from the identical entry made thereof, at the time when the ſame was firſt imported into this kingdom,

agreeable

agreeable to the directions herein before given for that purpoſe, all and each and every ſuch perſon and perſons offending in each or either of theſe caſes ſhall forfeit and loſe the ſum of five pounds for every hogſhead, caſk, cheſt, or other package of ſuch unmanufactured tobacco for each and every ſuch offence or offences, to be ſued for, recovered, levied, and divided in the manner herein after directed; any law, ſtatute, or uſage to the contrary in any wiſe notwithſtanding; and no drawback or debenture for or on account of the exportation thereof ſhall be made out, granted, or paid.

XX. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons, who from and after the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty, ſhall import any tobacco into this kingdom from Great Britain, or any of his Majeſty's plantations in America, and who ſhall in any wiſe manufacture the ſame, or any part thereof, upon his, her, or their own account or accounts, or cauſe or procure the ſame or any part thereof to be manufactured for his, her, or their own account or accounts by any other perſon or perſons, ſhall, before the ſame or any part thereof be manufactured by the importer or importers, or ſhall be delivered out by the importer or importers to any other perſon or perſons to be manufactured for the account of ſuch importer or importers, deliver, and they are hereby directed and required to deliver, to the collector or other chief officer of the revenue at the port or place, where ſuch tobacco was imported, an account in writing, containing the mark and number as ſpecified in the manifeſt of every hogſhead, caſk, cheſt, or other package of tobacco, intended to be manufactured, with the name of the ſhip or ſhips in which the ſame was imported, and the time when, and alſo the landing mark and number ſet on each hogſhead, caſk, cheſt, or other package at the time of their importation into this kingdom, and alſo the exact weight which all, and each, and every ſuch hogſheads, caſks, cheſts, or other packages, and the tobacco therein contained, were of at the time of their being firſt landed in this kingdom, and the exact weight the ſame were of at the time of the delivery thereof to be manufactured; which account ſhall be ſigned by ſuch importer or importers, or one of his, her, or their known ſervants or agents, and alſo by ſuch perſon or perſons to whom ſuch tobacco is delivered to be manufactured, or one of his, her, or their known ſervants, or agents, with their ſeveral and reſpective names and place of abode; and ſuch importer and importers ſhall, at the time of their delivering in ſuch accounts as aforeſaid write off, from the entries made at the time and times the tobacco contained

A. D. 1779-80. Chap. 23.

tained in such account was imported, and against each and every particular ship in which the same was imported, the weight of each particular hogshead, cask, chest, or other package contained in such account of tobacco intended to be manufactured as aforesaid, in the very same manner and form as if the same tobacco had been delivered for exportation; and in case any importer or importers of tobacco shall neglect to give in such account as aforesaid at the time and in such manner and form in all respects to all intents and purposes, as is herein before directed and required, or in case such account shall, at the time the same is given in or at any time afterwards, appear to be false and fraudulent in any respect whatsoever, he, she, or they knowingly offending in any or either of the cases aforesaid shall forfeit and lose the sum of thirty pounds for every hogshead or other package of tobacco, an account of which is omitted to be given as before directed, or of which a wrong account shall knowingly be given; and the person or persons, to whom such tobacco shall have been delivered to be manufactured, neglecting by him, her, or themselves, or by his, her, or their known servant or agent, to sign such account as aforesaid, or knowingly signing any fraudulent account, shall also forfeit and lose the sum of fifty pounds for every such hogshead or other package of tobacco, of which no account or for which a fraudulent account is knowingly given.

XXI. And be it further enacted by the authority aforesaid, That all and every person and persons, who from and after the said twenty fourth day of June, one thousand seven hundred and eighty, shall import any tobacco into this kingdom from Great Britain, or any of his Majesty's plantations in America, and shall sell or deliver the same or any part thereof to any person or persons whatsoever, shall within fourteen days after the delivery thereof out of his custody to the purchaser or purchasers thereof, or their order, give and deliver to the collector, or other chief officer of the customs at the port or place, where such tobacco was imported, an account in writing, containing the mark and number as specified in the manifest of every hogshead, cask, chest, or other package of tobacco, so sold or delivered, with the name of the ship or ships in which the same was imported, and times when, and also the landing mark and number set on each hogshead, cak, chesk, or other package, at the time of their importation into this kingdom, with the exact weight which all, and each, and every such hogsheads, casks, chests, or other packages, and the tobacco therein contained, were of at the time of their being first landed in this kingdom, and also the exact weight thereof at the time of their sale, or delivery to

the purchaſer or purchaſers thereof; which account ſhall be ſigned by ſuch importer or importers, or one of his, her, or their known ſervants or agents, and alſo by ſuch perſon or perſons to whom ſuch tobacco is ſold or delivered, or one of his, her, or their known ſervants or agents, with their ſeveral and reſpective names and places of abode; and ſuch importer and importers ſhall at the time of their delivering in ſuch accounts as aforeſaid write off from the entries, made at the time and times the tobacco contained in ſuch account was imported, and againſt each and every particular ſhip in which the ſame was imported, the weight of each particular hogſhead, caſk, cheſt, or other package of tobacco contained in ſuch account, in the ſame manner and form as if the ſaid tobacco had been delivered for exportation; and in caſe any importer or importers of tobacco ſhall neglect to give in ſuch account as aforeſaid at the time, and in ſuch manner and form in all reſpects, and to all intents and purpoſes, as is herein before directed and required, or in caſe ſuch account ſhall at the time the ſame is given in, or at any time afterwards appear to be falſe or fraudulent in any reſpect whatſoever, he, ſhe, or they knowingly offending in any or either of the caſes aforeſaid, ſhall forfeit and loſe the ſum of thirty pounds for every hogſhead or other package of tobacco, an account of which is omitted to be given as before directed, or of which a wrong account ſhall be knowingly given; and the perſon or perſons, to whom or to whoſe order ſuch tobacco ſhall have been ſold or delivered, neglecting by him, her, or themſelves, or his, her, or their known ſervant or agent, to ſign ſuch account as aforeſaid, or knowingly ſigning any fraudulent account, ſhall alſo forfeit and loſe the ſum of thirty pounds for every ſuch hogſhead or other package of tobacco, of which no account or for which a fraudulent account is knowingly given.

XXII. Provided always, and be it further enacted by the authority aforeſaid, That in caſe any tobacco ſhall happen to receive damage on board any ſhip or veſſel by ſtreſs of weather at ſea, or any damage by any ſhip or veſſels being forced on ſhore, or if any unforeſeen accidents ſhould happen after the arrival of any ſhip or veſſel in port by the ſhips bulging on an anchor, or by the lighter into which the tobacco is put in order to be laid on land, or by any ſuch like accidents, whereby ſuch tobacco ſhall receive damage, it ſhall and may be lawful to and for the commiſſioners or collectors, or other chief officers of his Majeſty's revenue, to allow and pay to the importer at the rate of one halfpenny for every pound of ſuch tobacco for which the importer ſhall refuſe to pay or ſecure the full duties, and which

A. D. 1779-80. Chap. 23.

ſhall be cut off or ſeparated from the ſound in order to be burned, or otherwiſe publickly deſtroyed by the officers of his Majeſty's revenue, ſo as ſuch allowance ſhall not exceed thirty ſhillings for all the tobacco damaged in any one ſingle hogſhead imported; any thing herein contained to the contrary notwithſtanding.

XXIII. Provided always, and be it enacted by the authority aforeſaid, That no drawback ſhall be allowed on any tobacco exported in any package containing leſs than four hundred and twenty five pounds weight, except ſuch tobacco as ſhall be cut or rolled; any thing herein contained to the contrary notwithſtanding.

XXIV. And be it enacted by the authority aforeſaid, That from and after the twenty fourth day of June one thouſand ſeven hundred and eighty, there ſhall be allowed only at the ſcale eight pounds for draught upon every hogſhead, that ſhall contain four hundred and twenty five pounds of tobacco or more, which allowance ſhall not be deducted upon exportation.

XXV. And be it further enacted by the authority aforeſaid, That from and after the twenty fourth day day of June one thouſand ſeven hundred and eighty, the collector or other proper officer or officers of the revenue in the port of Dublin, and alſo at every port or place in this kingdom where any tobacco ſhall be imported after the ſaid twenty fourth day of June one thouſand ſeven hundred and eighty from Great Britain, or any of his Majeſty's plantations in America, do once in every calendar month tranſmit or deliver to ſuch perſon, as ſhall be deputed and appointed by the chief commiſſioners of the revenue for the time being to receive the ſame, one of the land waiters books, in which his account is entered and kept of the landing and diſcharging of tobacco, imported in any ſhip or veſſel at ſuch port or place from Great Britain, or any of his Majeſty's plantations in America, and alſo true and exact copies of every entry of tobacco for exportation, and of the ſeveral and reſpective indorſements relating thereto which are delivered to the ſearcher, or proper officer or officers at ſuch port or place, where any ſuch tobacco is entered and ſhipped for exportation to foreign parts, and alſo true and exact copies of every account, which purſuant to the directions herein before given ſhall be delivered to any officer or officers of the revenue at ſuch port or place of tobacco intended to be manufactured by the importer or importers thereof, on his, her, or their own account, or which ſhall be delivered by the importer or importers there-

of

of to any other perſon or perſons whatſoever to be manufactured for the account of ſuch importer or importers, and alſo true and exact copies of every account, which purſuant to the directions herein before given ſhall be delivered to any officer or officers at ſuch port or place by the importer or importers of tobacco, ſold by them to any other perſon or perſons whatſoever; which ſaid ſeveral accounts are to be kept by the ſaid perſon, who ſhall be deputed and appointed as aforeſaid, who is to keep proper books, and enter therein the ſaid ſeveral and reſpective accounts ſo tranſmitted or delivered to him; which ſeveral entries ſhall be made and an account thereof kept in ſuch manner and form, that the marks and numbers on every hogſhead, caſk, or other package of tobacco, with the weights thereof at the importation thereof, may be compared and chequed with the marks, numbers, and weights at the exportation thereof, or when ſold or delivered for home conſumption, or to be manufactured, to the intent that the identity of all ſuch tobacco imported, exported, ſold, or delivered to be manufactured, may be thereby known and aſcertained; and when any thing ſhall appear to him to be done or practiſed at any port or place contrary to the directions and intentions of this act, he ſhall immediately tranſmit an account thereof in writing to the commiſſioners of the revenue for the time being at Dublin; and if any collector or other chief officer or officers of the revenue at any port or place of this kingdom ſhall neglect or refuſe to tranſmit and deliver one of the land waiters books, and a true copy of every entry of tobacco for exportation, and of the ſeveral indorſements relating thereto herein before mentioned and deſcribed, and alſo true copies of all, or any, or either of the accounts herein before mentioned and deſcribed, within the time and times herein before limited and appointed for that purpoſe, he and they ſo neglecting or refuſing ſhall forfeit fifty pounds for every ſuch neglect or refuſal, to be ſued for, recovered, levied, and divided in the manner herein after provided.

XXVI. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons whatſoever, who ſhall import any tobacco into this kingdom from Great Britain, or any of his Majeſty's plantations in America, ſhall within the ſpace of twenty one calendar months, to be reckoned and computed from the ſaid twenty fourth day of June one thouſand ſeven hundred and eighty, tranſmit and deliver to the collector or other chief officer of the port or place, where any ſuch tobacco is imported, a true account in writing under his hand and their reſpective

ſpective hands of all ſuch tobacco, which he ſhall at the time of giving in ſuch account have in his cuſtody, power, or poſſeſſion; which account ſhall contain the number of hogſheads, caſks, cheſts, caſes, or other packages, in which ſuch tobacco is contained, together with all, and each, and every of the ſeveral and reſpective marks, numbers, and weights ſet upon all, and each, and every ſuch hogſhead, caſk, cheſt, caſe, or other package, and the particular warehouſes, ſtore-houſes, cellars, or other places, where the ſame are then lodged and lie; and all and every ſuch perſon or perſons ſhall from and after the expiration of the aforeſaid term of twenty one months tranſmit and deliver annually and every year between the firſt and twenty ninth days of September in each year to ſuch collector or other chief officer of the revenue at the port or place where any ſuch tobacco is imported, a true account in writing under his and their reſpective hands of all ſuch tobacco, which he ſhall at the time of giving in ſuch account have in his cuſtody, power, or poſſeſſion, which has been entered in this kingdom eighteen months or more at the time of giving in ſuch account; which account ſhall alſo contain the number of hogſheads, caſks, cheſts, or other packages in which ſuch tobacco is contained; and alſo all, and each, and every of the ſeveral and reſpective marks, numbers, and weights ſet upon all, and each, and every ſuch hogſhead, caſk, cheſt, or other package, and the particular warehouſes, ſtorehouſes, cellars, or other places, where the ſame are then lodged and lie; and every ſuch collector or other chief officer is upon receipt of ſuch accounts forthwith to cauſe the ſeveral and reſpective goods contained in ſuch accounts to be examined thereby, and then to tranſmit ſuch accounts to the perſon appointed by the commiſſioners of the revenue for keeping the accounts herein before mentioned; and if any importer or importers of tobacco ſhall neglect to give in ſuch account and accounts as aforeſaid at the time and times, and in ſuch manner and form in all reſpects, as is herein before limited, directed, and appointed, or if ſuch account or accounts ſhall upon examination appear to be falſe or fraudulent in any reſpect whatſoever, he, ſhe, or they ſo offending in both or either of theſe caſes ſhall forfeit and loſe the ſum of fifty pounds for each and every ſuch offence.

XXVII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever ſhall at any time or times hereafter in order to defeat any of the purpoſes or intents of this act eraſe, cut out, burn out, blot out, or in any wiſe

whatſoever, alter, change, or deface any mark or number, marks or numbers, whatſoever, which was burnt in or ſet upon any hogſhead, cask, chest, case, or other package whatſoever of tobacco in Great Britain, or the plantations in America, or which was burnt in or ſet thereon in this kingdom upon the importation or landing thereof, or which was burnt in or ſet thereon in this kingdom upon the exportation thereof from thence, he, ſhe, and they ſo offending ſhall forfeit and loſe the ſum of twenty pounds for each hogſhead, cask, chest, case, or other package whatſoever of tobacco, the mark whereof ſhall be ſo altered or defaced as aforeſaid, to be ſued for, recovered, levied, and divided, as is herein after directed.

XXVII. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and eighty, no tobacco unmanufactured ſhall be loaden or laid on board in any ſhip or veſſel whatſoever in any port or place whatſoever in this kingdom to the intent to be exported but in caſks, cheſts, or caſes, containing four hundred and twenty five pounds weight or more of tobacco in each caſk, cheſt, or caſe, under the penalty of the forfeiture of ſuch tobacco, and of the caſk, cheſt, or caſe containing the ſame, except caſks or other packages containing ſamples of tobacco ſhipped and exported at the ſame time and place, and with the ſame hogſheads or caſks, out of which ſuch ſamples were taken, and the ſame goods and package ſhall and may be ſeized and proſecuted by any officer or officers of the revenue in ſuch manner and form, as herein after is provided.

XXIX. And be it further enacted by the authority aforeſaid, That no drawback ſhall be allowed for any tobacco, which is mixed with rubbiſh, or dirt, or any other matter or thing whatſoever; and all and every perſon or perſons, who ſhall enter or ſhip for exportation, or cauſe to be entered or ſhipped for exportation, any tobacco mixed with rubbiſh, or with dirt, or any other matter or thing whatſoever, or who ſhall enter any thing as tobacco for exportation, and which upon examination by the proper officers ſhall appear not to be tobacco, ſhall forfeit all ſuch goods, and the caſks and other package, in which they are contained, and alſo the ſum of fifty pounds for each and every hogſhead or other package thereof.

XXX. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fourth day of June, one thouſand ſeven hundred and eighty,

A. D. 1779-80. Chap. 23.

no tobacco, either manufactured or unmanufactured, shall be entered or shipped for exportation to any parts beyond the seas, Great Britain only excepted, in any ship or vessel whatsoever, unless such ship or vessel shall be of the burthen of seventy tons or upwards; and if any officer or officers of the revenue shall apprehend, or have reason to believe, that any such ship or vessel bound to foreign parts, and tobacco on board her, shall not be of the burthen of seventy tons and upwards, it shall and may be lawful for such officer or officers to stop and detain such ship or vessel, and the whole cargo laden on board her, and all other goods, until he or they shall cause such ship or vessel to be admeasured in manner herein after mentioned; and if it shall appear by such admeasurement, that any ship or vessel is of the burthen of seventy tons or upwards, the officer or officers, so stopping and detaining her and her cargo, shall not be subject or liable to any action for damages occasioned by such stoppage and detention; and if the master or commander of any ship or vessel outward bound to foreign parts, having tobacco on board her, shall enter and clear out such ship or other vessel in the collector's books at the custom house as of the burthen of seventy tons or upwards, and such ship or vessel shall not be of so great burthen according to the admeasurement prescribed, he shall forfeit and lose the sum of one hundred pounds for every such offence.

XXXI. And for preventing disputes concerning the admeasurement of such ships or vessels, be it enacted by the authority aforesaid, That the following rule shall be observed therein; that is to say, the length shall be taken on a straight line along the rabbet of the keel of the ship from the back of the main stern post to a perpendicular line from the fore part of the main stern under the bowsprit, from which substracting three fifths of the breadth, the remainder shall be esteemed the just length of the keel to find the tonnage; and the breadth shall be taken from the outside of the outside plank in the broadest place of the ship, be it either above or below the main whales, exclusive of all manner of doubling planks that may be wrought upon the sides of the ship, then multiplying the length of the keel by the breadth so taken, and that product by half the breadth, and dividing the whole by ninety four, the quotient shall be deemed the true contents of the tonage; according to which rule the tonage of all such ships and vessels shall be measured and ascertained; any law, custom, or usage to the contrary notwithstanding.

XXXII. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of June, one thousand seven hundred and eighty,

where any ſhip or veſſel whatſoever under the burthen of ſeventy tons, coming or arriving from parts, except Great Britain, or having cleared outwards in this kingdom for parts, except Great Britain, and having on board one hundred pounds weight of tobacco, or any tobacco ſtalks or ſtems ſtript from the leaf, or fifty pounds weight of ſnuff, ſhall be found at anchor, or hovering within the limits of any of the ports of this kingdom, or within two leagues of the ſhore thereof, or ſhall be diſcovered to have been within the limits of any port, and not proceeding on her voyage, wind and weather permitting, unleſs in caſe of unavoidable neceſſity and diſtreſs of weather, of which neceſſity and diſtreſs the maſter, purſer, or other perſon having or taking the charge or command of ſuch ſhip or veſſel, ſhall give notice to and make proof of before the collector or other chief officer of the revenue of ſuch port as aforeſaid immediately after the arrival of ſuch ſhip or veſſel into the ſaid port, all ſuch tobacco, and tobacco ſtalks, or ſtems ſtript from the leaf, and ſnuff, together with the hogſhead, bags, boxes, caſks, or other package whatſoever, containing the ſame goods, or the value thereof, ſhall be forfeited and loſt (whether bulk ſhall then have been broken or not) and the maſter or other perſon taking charge of every ſuch ſhip or veſſel ſhall forfeit and loſe the ſum of one hundred pounds, and the ſame goods and package ſhall and may be ſeized and proſecuted, or the value thereof be ſued for, by any officer or officers of the revenue in ſuch manner and form, as herein after is provided; any law, ſtatute, or uſage, to the contrary notwithſtanding; and if any ſhip or veſſel whatſoever above the burthen of ſeventy tons, having ſuch goods on board as aforeſaid, either homeward bound or outward bound, ſhall be found at anchor, or hovering as aforeſaid, and no notice of diſtreſs being given as aforeſaid, the maſter or other perſon taking charge of every ſuch ſhip or veſſel ſhall forfeit and loſe the ſum of one hundred pounds.

XXXIII. Provided always, and be it enacted by the authority aforeſaid, That in caſes where any forfeitures are created in reſpect of, or drawbacks diſallowed for, any tobacco in packages under five hundred pounds weight by any law heretofore made in this kingdom, no forfeiture ſhall be incurred, nor any drawback refuſed, on account of any ſuch package not being of the weight of five hundred pounds, if the ſame contains four hundred and twenty five pounds; any thing in ſaid law to the contrary notwithſtanding.

A. D. 1779-80. Chap. 23.

XXXIV. And be it further enacted by the authority aforesaid, That all and every the fines, penalties, and forfeitures, inflicted by this act, shall and may be sued for, recovered, levied, and applied in such manner and form, and by such ways and means, and with such powers and authorities, as are prescribed, directed, and appointed in and by an act of Parliament made in the fourteenth and fifteenth years of the reign of King Charles the second, entitled, *An act for settling the excise or new impost upon his Majesty, his heirs and successors, according to the book of rates therein inserted*, as fully and effectually to all intents, constructions, and purposes, as if the same were particularly mentioned, and expressed, and re-enacted in the body of this present act, with the like remedy of appeal to and for the party or parties who shall think him, her, or themselves aggrieved or injured, as in and by the said act of excise is provided.

XXXV. And be it enacted by the authority aforesaid, That in all cases where the importers of tobacco shall in part pay and in part secure the duties thereon as aforesaid, the sums paid down by them after the rates aforesaid of five pounds nineteen shillings eighteen twentieth parts of a penny and one half of a twentieth, or if strangers of seven pounds seven shillings and six pence three twentieth parts of a penny and one third part of a twentieth, shall be taken and deemed, and are hereby declared to be, so paid on account of the hereditary custom due unto his Majesty; and that so much of the duties, for which security shall be given as aforesaid, as together with said sums so paid in ready money shall be sufficient to answer the whole of the hereditary duties due on the import of such tobacco to his Majesty, shall when paid be placed to the account of his Majesty's hereditary revenue.

XXXVI. And be it further enacted by the authority aforesaid, That if any person or persons shall at any time or times be sued or prosecuted for any thing, by him or them done or executed in pursuance of or by virtue of this act, or of any matter or thing in this act contained, such person or persons shall and may plead the general issue, and give this act and the special matter in evidence.

CHAP.

A. D. 1779-80.

CHAP. XXIV.

An act for the better regulation of the ſilk manufacture.

WHEREAS it would be for the benefit of perſons employed in the ſilk weaving branch, if the Dublin Society were empowered to ſettle between the maſter weavers and their journeymen the price of labour in the ſeveral branches of the ſaid manufacture: therefore be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from the firſt day of Auguſt one thouſand ſeven hundred and eighty the wages and prices for work of the journeymen ſilk weavers within the city of Dublin and the adjacent liberties for the diſtance of two miles and a half round from the caſtle of Dublin ſhall be regulated, ſettled, and declared by the Dublin Society, who are hereby authorized and empowered from time to time, upon application being made to them for that purpoſe, to ſettle, regulate, order, and declare the wages and prices of work of the journeymen ſilk weavers working within the limits aforeſaid; and ſhall and may within the ſpace of fourteen days next after the making every ſuch order cauſe the ſame to be printed and publiſhed at the reaſonable expence of the perſon or perſons applying for the ſame three times in any two news papers publiſhed in Dublin, which publication ſhall be deemed and allowed to be ſufficient notice and publication thereof; and from and after publication thereof all maſter ſilk weavers and their journeymen are hereby ſtrictly required to obſerve the ſame.

Wages of journeymen ſilk weavers in Dublin and liberties two miles and a half round the caſtle ſhall be ſettled by Dublin Society,

in 14 days publiſhed at expence of perſons applying 3 times in two Dublin papers,

ſufficient notice,

obſerved by maſter and journeymen.

II. And be it further enacted by the authority aforeſaid, that after the ſaid firſt day of Auguſt any maſter ſilk weaver within the aforeſaid diſtrict, who ſhall give more or leſs wages, or pay larger or ſmaller prices, to any of the journeymen weavers aforeſaid for their work, than ſhall be ſettled or allowed as aforeſaid, and ſhall be convicted of the ſaid offences before any two of his Majeſty's juſtices of the peace within the diſtrict or juriſdiction aforeſaid, where the ſaid offence ſhall be committed, on the oath or oaths of one or more credible witneſs or witneſſes, he ſhall forfeit ſuch ſum not exceeding fifty pounds, as ſaid juſtices ſhall think proper, to be levied by diſtreſs and ſale of the offender's goods; and the ſaid penalty, when recovered, ſhall be paid into the hands of the maſter of the weaver's company, firſt deducting

Giving more or leſs wages or prices to journeymen than ſo ſettled, forfeit on conviction before two juſtices not above 5ol.

by diſtreſs and ſale,

paid to the maſter of company, for

A. D. 1779-80. Chap. 24.

the expence of ſuch proſecution, to be by him applied towards the ſupport of the ſchool for the education of children of poor manufacturers in the city of Dublin.

for the ſchool for poor manufacturers.

Journeyman aſking or taking more or leſs, combining to raiſe wages, or decoying or intimidating others to quit employer, forfeit not above 40s.

III. And be it further enacted by the authority aforeſaid, that if any journeyman weaver or weavers within the diſtrict aforeſaid ſhall aſk, receive, or take more or leſs wages, or larger or ſmaller prices, for the work than ſhall be ſettled as aforeſaid, or ſhall enter into any combination to raiſe the wages or prices of ſaid work, or for this purpoſe ſhall decoy, ſolicit, or intimidate any journeyman or journeymen weavers within the diſtrict aforeſaid, ſo that he or they quit their maſters or miſtreſſes, for whom they ſhall then be employed, and ſhall be convicted of any of the ſaid offences on the oath or oaths of one or more credible witneſs or witneſſes before any two or more of his Majeſty's juſtices of the peace within the diſtrict or juriſdiction aforeſaid, every ſuch journeyman ſhall forfeit a ſum not exceeding forty ſhillings; and if the ſaid forfeiture be not immediately paid, it ſhall and may be lawful for the ſaid juſtices to commit the ſaid offender to the houſe of correction to hard labour for any time not exceeding three months; the ſaid forfeiture, when recovered, to be applied in the ſame manner as the forfeiture aforementioned.

If not paid immediately, committed not above 3 months.

applied as aforeſaid.

Two juſtices on informant's oath may ſummon to teſtify,

IV. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for any two juſtices of the peace within the juriſdiction aforeſaid, on information upon oath made before them by any perſon or perſons whatſoever, that there is reaſon to ſuſpect, that any maſter, miſtreſs, or journeyman weaver within the juriſdiction aforeſaid, hath been guilty of any of the offences aforeſaid, at requeſt of ſuch informant to iſſue their ſummons in writing, ſigned by any ſuch two juſtices, requiring any clerk, foreman, apprentice, ſervant, or other perſon or perſons employed or retained by ſuch perſon, ſo ſuſpected to have offended, or any other perſon or perſons whatſoever whoſe attendance ſhall appear neceſſary for the purpoſe of giving evidence in the premiſſes, to attend and teſtify concerning the premiſſes; and if any perſon ſo ſummoned ſhall not attend, and proof ſhall be made of the ſervice of ſuch ſummons either perſonally or by leaving the ſame at the laſt or uſual place of abode of ſuch perſon, it ſhall be lawful for ſuch two juſtices or any other two juſtices of the peace within the ſaid juriſdiction, and they are hereby required (unleſs a reaſonable excuſe be made for ſuch non attendance to the ſatisfaction of ſuch juſtices) to iſſue their warrant under their hands and ſeals for the apprehending and bringing him

not attending, and proof of ſervice, unleſs excuſe, a warrant to apprehend,

him or her before them, or ſome other two or more juſtices of the peace within the ſaid juriſdiction, to be examined touching the premiſſes; and if any ſuch perſon ſo attending, or being brought before ſuch juſtices, ſhall refuſe to be examined, or give their teſtimony touching the premiſſes, ſuch perſon ſhall by the ſaid juſtices be committed to the houſe of correction for one month, there to remain unleſs he or ſhe ſhall ſooner ſubmit to be examined and give teſtimony, as the law requires.

refuſing to be examined or teſtify, committed 1 month, unleſs ſubmitting.

V. Provided alſo, and be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for any perſon, convicted before any two juſtices of the peace as before mentioned, to appeal to the juſtices of the peace aſſembled at the next quarter ſeſſions to be held for the place, wherein ſuch conviction ſhall be made, giving immediate notice of ſuch appeal, and finding ſufficient ſecurity to the ſatisfaction of ſuch juſtices for being perſonally preſent at ſuch quarter ſeſſions, and for proſecuting the ſaid appeal with effect, and abiding the judgment of the court; and ſuch juſtices in ſuch quarter ſeſſions ſhall finally hear and determine the matter, and ſhall have power to award reaſonable coſts to either party, as to them ſhall ſeem juſt; and if ſuch conviction ſhall be affirmed at ſuch quarter ſeſſions, ſuch appellant ſhall be committed to priſon for the crime ſpecified in the ſaid conviction, and until payment of the coſts ſo to be awarded.

Appeal to next ſeſſions, giving immediate notice, and finding ſecurity,

determined at ſeſſions,

coſts to either,

if conviction affirmed, appellant committed.

VI. Provided alſo, and be it further enacted by the authority aforeſaid, that no action ſhall be brought againſt any juſtice of the peace, conſtable, or other officer, or againſt any other perſon or perſons whomſoever, for any matter or thing whatſoever done or committed under, by virtue, or in the execution of this act, unleſs ſuch action ſhall be brought within ſix calendar months next after the doing or committing ſuch matter or thing.

Actions for any matter done under this act brought in 6 months.

VII. Provided alſo, that if any action or ſuit ſhall hereafter be commenced or proſecuted againſt any perſon or perſons for any thing done under, by virtue, or in the execution of this act, ſuch perſon or perſons may plead the general iſſue, and give this act and the ſpecial matter in evidence; and if the plaintiff ſhall become non ſuited, or ſuffer diſcontinuance, or forbear further proſecution, or if judgment ſhall be given for the defendant or defendants, ſuch defendant or defendants ſhall recover his, her, or their full coſts, for which he, ſhe, or they ſhall have like remedy, as in caſes where coſts by law are given to defendants.

General iſſue pleaded, and ſpecial matter in evidence,

and full coſts on non-ſuit, &c.

VIII. And

A. D. 1779-80. Chap. 24.

VIII. And whereas it frequently happens, that materials uſed in the manufacture before mentioned are found or known to be concealed in the poſſeſſion of perſons, who have received the ſame knowing them to be purloined or embezzled, or of perſons known not to be intitled to diſpoſe of the ſame: and whereas the diſcovery and conviction of the purloiners and embezzlers, buyers and receivers of ſuch materials, is full of difficulty from the cloſe and clandeſtine manner, in which the offence is committed, and there is ſtill greater difficulty in proving, whoſe property ſuch materials are, and it would tend to the diſcouragement and ſuppreſſion of ſuch offences, if the diſcovery and conviction of ſuch offenders were rendered more eaſy: be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for any two juſtices of the peace for the diſtrict aforeſaid, upon complaint made to them upon oath by any one credible perſon (or being of the people called quakers, upon ſolemn affirmation) that there is cauſe to ſuſpect, that any ſuch purloined or embezzled materials, whether mixed or unmixed, wrought or unwrought, are concealed in any dwelling houſe, out houſe, yard, garden, or other place or places, by virtue of a warrant under their hands and ſeals to cauſe every ſuch dwelling houſe, out houſe, yard, garden, or place to be ſearched in the day time; and if any ſuch materials, ſuſpected to be purloined or embezzled, ſhall be found therein, to cauſe the ſame, and the perſon or perſons in whoſe houſe, out houſe, yard, garden, or other place the ſame ſhall be found, to be brought before any two juſtices of the peace for the diſtrict aforeſaid; and if the ſaid perſon or perſons ſhall not give an account to the ſatisfaction of ſuch juſtices, how he, ſhe, or they came by the ſame, then the ſaid perſon or perſons ſo offending ſhall be deemed and adjudged guilty of a miſdemeanour, and ſhall be puniſhed in manner herein after mentioned, although no proof ſhall be given, to whom ſuch materials belong.

Two juſtices on oath of cauſe to ſuſpect concealment of purloined materials may on warrant cauſe ſearch by day,

brought with perſons where found before two juſtices,

if ſatisfactory account not given, a miſdemeanor, and puniſhed as herein, tho' no proof to whom belonging.

IX. And be it further enacted by the authority aforeſaid, that every peace officer or conſtable in the diſtrict aforeſaid, and every beadle within his ward, pariſh, or diſtrict, and every watchman, during ſuch time only as he is on his duty, ſhall and may apprehend or cauſe to be apprehended all and every perſon or perſons, who may be reaſonably ſuſpected of having or carrying, or any ways conveying at any time after ſun ſetting and before ſun riſing any of ſuch materials ſuſpected to be purloined or embezzled, and the ſame, together with ſuch perſon or perſons, as ſoon as conveniently may be, convey or carry before any two juſtices of the

Peace officer and watchman on duty may apprehend perſons conveying after ſunſet ſuch ſuſpected materials,

and carry before 2 juſtices,

the peace for the diſtrict aforeſaid, or in which the ſuſpected perſon or perſons ſhall be apprehended; and if the perſon or perſons ſo apprehended in conveying any ſuch materials ſhall not produce the party or parties duly entitled to diſpoſe thereof, from whom he, ſhe, or they bought or received the ſame, or ſome other credible witneſs, to teſtify upon oath (or being of the people called quakers) upon ſolemn affirmation to the ſale or delivery of the ſaid materials (which oath or affirmation reſpectively ſuch juſtices are hereby empowered to adminiſter) or ſhall not give an account to the ſatisfaction of ſuch juſtices, how he, ſhe, or they came by the ſame, then the ſaid perſon or perſons ſo apprehended ſhall be deemed and adjudged guilty of a miſdemeanor, and be puniſhed in manner herein after mentioned, although no proof ſhall be given, to whom ſuch materials belong.

if the party intitled, from whom bought or received or proof on oath of ſale or delivery, or ſatisfactory account not given, a miſdemeanor, tho' no proof to whom belonging.

X. Provided always, and be it further enacted by the authority aforeſaid, that in either of the two caſes laſt before mentioned, when any perſon or perſons, who ſhall be brought before any two juſtices of the peace, ſhall requeſt of ſuch juſtices to appoint a reaſonable time to produce the perſon or perſons duly entitled to ſell or diſpoſe of the ſame, of or from whom he, ſhe, or they bought or received the ſame, or ſome one or more credible witneſſes to prove the ſale or delivery thereof, then and in ſuch caſe it ſhall and may be lawful for the ſaid juſtices, and they are hereby authorized and required, to appoint ſuch reaſonable time as aforeſaid, and to iſſue out a ſummons to the conſtable or other peace officer of the pariſh or place, where ſuch perſon or perſons or ſuch witneſs or witneſſes ſhall reſpectively reſide, requiring him, her, or them to appear before two or more juſtices at ſuch time and place, as ſhall be ſo appointed by ſuch juſtices, in order to be examined and give evidence on oath or being of the people called quakers ſolemn affirmation of the ſeveral matters aforeſaid; but ſuch perſon or perſons at the time of making ſuch requeſt ſhall enter into a recognizance with or without ſurety or ſureties, as ſuch juſtices ſhall think proper, for his, her, or their appearance before them at the time to be ſet or appointed, or for want of ſuch recognizance as aforeſaid ſhall be committed, until the time, that ſhall be ſet or appointed by the ſaid juſtices for the appearance of ſuch party or parties, witneſs or witneſſes; and if at ſuch appointed time ſuch perſon or perſons ſhall be convicted of any of the offences aforeſaid, then and in ſuch caſe he, ſhe, or they ſhall ſuffer ſuch puniſhment, as is herein after directed to be inflicted on perſons guilty of ſuch offences.

Reaſonable time on requeſt appointed to prove ſale or delivery,

and ſummons for that purpoſe,

on recognizance to appear,

or committed till the time appointed,

if convicted, puniſhed as herein after.

A. D. 1779-80. Chap. 24.

XI. And be it further enacted by the authority aforeſaid, that where any perſon or perſons ſhall be convicted of a miſdemeanour of either the two caſes laſt before mentioned, it ſhall and may be lawful for the juſtices, before whom the conviction ſhall be, to cauſe the ſaid materials ſo found or ſeized as aforeſaid to be depoſited in the hands of the church wardens of the pariſh, wherein ſuch materials are found or ſeized, for any time not exceeding thirty days, and in the mean time to order the ſaid church wardens, or one of them, to inſert an advertiſement in ſome one or more of the publick news papers, uſually publiſhed in or near ſuch place, and alſo to cauſe notice to be given by ſome publick cryer, and by fixing up notice on ſome publick place within the ſame, deſcribing ſuch materials, and where the ſame are depoſited, to the end that perſons having loſt ſuch materials, or any perſon or perſons in their behalf, may come and claim the ſame; and in caſe any perſon or perſons can prove his, her, or their property in the ſaid materials upon oath, or (being of the people called quakers) upon his, her, or their ſolemn affirmation to the ſatisfaction of any one or more juſtice or juſtices of the peace for the ſaid diſtrict, then ſuch juſtice or juſtices ſhall order reſtitution of ſuch materials to the owner or owners thereof after paying the reaſonable charges of removing, depoſiting, and giving publick notice of the ſame; but if before the end of the ſaid thirty days, no perſon or perſons ſhall come and prove his, her, or their property in ſuch materials, nor any reputable perſon or perſons on his, her, or their behalf, then the ſaid juſtices ſhall order and direct the ſame to be ſold for the beſt price, that can reaſonably be had, and after deducting ſuch charges as aforeſaid together with the charges of ſale one moiety of the money ariſing from ſuch ſale ſhall be given to the perſon or perſons, or either of them, who ſhall apprehend or proſecute the offender or offenders guilty of either of the miſdemeanours aforeſaid, as the ſaid juſtice or juſtices ſhall appoint, and the other moiety thereof either to and amongſt the poor of the pariſh where the conviction ſhall be, or to ſuch publick charity or charities as the juſtice or juſtices convicting ſhall appoint.

And ſaid materials depoſited with the church-wardens not above 30 days,

and advertiſed,

a publick notice given and affixed, deſcribing them,

if property proved, reſtitution ordered, paying charges,

if not proved in 30 days, ordered to be ſold,

one moiety to perſons apprehending or proſecuting, as juſtices appoint,

the other to the poor or publick charity.

XII. And be it further enacted by the authority aforeſaid, that every perſon deemed and adjudged guilty of a miſdemeanour in having in his or her poſſeſſion any materials ſuſpected to be purloined or embezzled, and not producing the party or parties being duly intitled to diſpoſe of the ſame, of whom he or ſhe bought or received the ſame, nor giving a ſatiſfactory

Perſons adjudged guilty of miſdemeanor forfeit 1ſt offence 20l. 2d. 30l. every other 40l.

factory account how he or ſhe came by the ſame, or of a miſdemeanour in having, carrying, or conveying of the ſaid materials ſuſpected to be purloined or embezzled, and not producing the party or parties being duly entitled to diſpoſe of the ſame, of whom he or ſhe bought or received the ſame, nor any credible witneſs to teſtify upon oath, or being of the people called quakers upon ſolemn affirmation, the ſale or delivery thereof, nor giving a ſatisfactory account how he or ſhe came by the ſame, as the caſe ſhall be, ſhall for every ſuch miſdemeanour forfeit for the firſt offence the ſum of twenty pounds, and for the ſecond offence the ſum of thirty pounds, and for every ſubſequent offence the ſum of forty pounds; all which ſaid reſpective forfeitures ſhall and may be levied by diſtreſs and ſale of the goods and chattles of every ſuch offender, rendering to him or her the overplus, after the charges of the ſaid diſtreſs and ſale are deducted, by warrant under the hands and ſeals of the juſtices before whom ſuch offender ſhall be deemed and adjudged guilty; of which forfeiture, one moiety ſhall be paid to the informer, and the other moiety thereof to and amongſt the poor of the pariſh, where ſuch conviction ſhall be, or to ſuch publick charity or charities as the juſtices convicting ſhall appoint; and if no ſufficient diſtreſs ſhall be found whereon to levy the reſpective forfeitures, then the ſaid juſtices ſhall and may commit every ſuch offender, ſo reſpectively deemed and adjudged guilty as aforeſaid, to the common goal or other priſon, or houſe of correction within his or their juriſdiction without bail or mainprize for the ſpace of one month, and to be once publickly whipped, and for the ſecond offence for the ſpace of two months and to be twice publickly whipped, and for every ſubſequent offence for the ſpace of ſix months and to be thrice publickly whipped.

by diſtreſs and ſale on juſtices warrant,

to informer, and the poor or publick charity,

if not ſufficient diſtreſs, committed 1 month and once whipped,

2d offence 2 months and twice whipped,

every other 6 months and thrice.

XIII. And whereas it ſometimes happens by occaſion of a very long detention of ſuch materials as aforeſaid, delivered out to journeymen or other perſons employed to work up the ſame, it cannot be known to the maſters or owners of ſuch materials, whether the ſame may have been purloined or embezzled, or whether the ſaid materials are wholly or in part wrought or begun to be wrought, or in what ſtate or condition ſuch materials may be: for remedy thereof be it enacted by the authority aforeſaid, that from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty it ſhall be lawful for the owner or owners of any ſuch materials from time to time, as occaſion ſhall require,

Owners may at ſeaſonable hours by day demand entrance into ſhops and outhouſes of perſons employed to work up materials, or where the work carried on, and inſpect the condition

A. D. 1779-80. Chap. 24.

require, to demand entrance, and enter at all ſeaſonable hours in the day time into the ſhops or outhouſes of any perſon or perſons employed by him or them to work up any of the ſaid materials, or other place or places where the work ſhall be carried on, and there to inſpect the ſtate and condition of ſuch materials, and in caſe of refuſal by any ſuch perſon or perſons ſo employed to permit ſuch entrance or inſpection, he, ſhe, or they ſo refuſing ſhall forfeit and pay ſuch ſum of money, not exceeding forty ſhillings nor leſs than ten ſhillings, as the juſtices, before whom he, ſhe, or they ſhall be convicted, ſhall think proper, to be recovered and applied in the ſame manner as is by this act directed for the miſdemeanour of being in the poſſeſſion of any ſuch materials without being able to account ſatisfactorily for ſuch poſſeſſion.

on refuſal not above 40s. nor under 10s. forfeited, recovered and applied as for poſſeſſing ſuch materials without ſatisfactory account.

XIV. And be it further enacted by the authority aforeſaid, that any offender convicted of embezzling or concealing, or in whoſe poſſeſſion any ſuch materials may be found, and not being able to pay the fine or fines impoſed by this act, he, ſhe, or they ſhall be delivered into the cuſtody of the ſheriff of the city or county of *Dublin*, according to the place where ſuch offence ſhall be committed, to be by them publickly whipped according to the intent and meaning hereof; and the ſheriff of the ſaid diſtrict or juriſdiction is hereby authorized and required to execute or cauſe the ſame to be executed according to the ſentence of the ſaid juſtices.

Offender not able to pay fine, delivered to the ſheriff to be publickly whipped,

ſheriff ſhall cauſe it to be executed according to ſentence.

XV. And be it further enacted by the authority aforeſaid, that the Dublin Society ſhall and may ſuperintend the ſilk manufacture, and make ſuch orders, bye laws, and regulations, touching all matters pertaining thereto, as ſhall appear to them uſeful and neceſſary, and that all perſons concerned in the ſaid manufacture ſhall obey all ſuch orders of the Dublin Society.

Dublin Society to ſuperintend ſilk manufacture, and make orders and bye laws, obeyed by all concerned.

XVI. Provided always, that no bye law ſo to be made ſhall in any degree contradict, or be contrary to, any law or laws now in force.

Not contrary to any law in force.

XVII. And be it enacted by the authority aforeſaid, that ſo long as any maſters, miſtreſſes, or journeymen ſilk weavers ſhall not tranſgreſs any of the ſaid orders and bye laws of the Dublin Society in all matters concerning the ſilk manufacture, he ſhall not be ſubject to any penalty enacted by any other law paſſed this ſeſſion of parliament for or in reſpect of the ſame, or any matter or thing relating thereto.

Not tranſgreſſing orders or bye laws of *Dublin* Society not ſubject to penalty by any law this ſeſſion relating thereto.

XVIII. Provided that no alteration be made by the Dublin Society in the prices of labour without an examination and hear-

No alteration in prices of labour, without hear-

ing

ing of both maſters, miſtreſſes, and journeymen, before ſaid alteration is made.

ing maſters and journeymen.

XIX. And be it enacted by the authority aforeſaid, that if any perſon or perſons employed in winding raw or dyed ſilk, ſhall oil or greaſe the ſame, and be convicted thereof before one or more juſtices of the peace, ſuch perſon ſhall be ſent to the houſe of correction for the ſpace of fourteen days, and be once publickly whipped.

If raw or dyed ſilk oiled or greaſed in winding committed 14 days and whipped.

XX. Provided always, that this act ſhall continue for four years from the firſt day of Auguſt one thouſand ſeven hundred and eighty, and no longer.

Continued 4 years from 1ſt Aug. 1780.

XXI. And be it further enacted by the authority aforeſaid, that this act ſhall be taken and allowed to be a publick act in all courts within this kingdom; and all judges and juſtices of the peace are hereby required to take notice thereof as ſuch without ſpecially pleading the ſame.

A publick act.

CHAP. XXV.

An act to explain an act, entitled, *An act to prevent frauds committed by bankrupts.*

WHEREAS the laws now in force concerning bankrupts require ſeveral amendments: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the paſſing of this act a proper place may be appointed by the lord chancellor, lord keeper, or lords commiſſioners for the cuſtody of the great ſeal for the time being, where the proceedings of the commiſſioners of bankrupt ſhall be lodged, ſo that the ſame may be at all times open to the inſpection of ſuch perſon or perſons, as have a right by the aforeſaid acts to inſpect the ſame; in which appointment proper direction may be given, in whoſe care or cuſtody ſuch proceedings ſhall be and remain.

A place may be appointed by lord chancellor, where proceedings of commiſſioners of bankrupt lodged,

open to inſpection as by ſaid acts,

with direction in whoſe care.

II. And whereas it has appeared, that the aſſignee or aſſignees of bankrupts have neglected to make dividends among the bankrupt's creditors, and alſo to lodge the money ariſing and received out of the bankrupt's eſtate and effects in purſuance of the directions of the ſaid recited acts: be it enacted by the authority aforeſaid, that as often as it ſhall happen, that the firſt dividend ſhall not have been made within twelve months after the iſſuing the

When 1ſt dividend not made within 12, the ad in 18 months after the commiſſion, majority of commiſſioners ſhall 1ſt Monday after, &c. ſum-

A. D. 1779-80. Chap. 25.

mon aſſignees, and examine on oath as to conduct,

aſſignees ſhall furniſh particulars of bankrupt's eſtate, receipts, and payments, banker's receipts for lodgments, and vouchers,

account ſigned by aſſignees, entered by commiſſioners,

if aſſignees have not lodged money received as directed, if creditors, commiſſioners may ſtop out of their debts 10l. every 100l. kept 21 days to be divided among the others in proportion to debts,

if not creditors, or not intitled to dividend equal to penalty, civil bill brought in the clerk's name to amount of the penalty,

divided among the creditors,

determined, tho' above 20l.

depoſitions and account certified, and verified, concluſive.

Bankrupt's debtor not paying aſſignees in 3

the ſaid commiſſion, or that a ſecond dividend ſhall not have been made within eighteen months after iſſuing the ſaid commiſſion, the ſaid commiſſioners of bankrupt, or the major part of them, ſhall on the firſt Monday after the expiration of the ſaid twelve or eighteen months reſpectively, or as ſoon after as conveniently may be after iſſuing of the ſaid commiſſion, ſummon the aſſignee or aſſignees of ſuch commiſſion of bankruptcy, and examine the ſame upon oath, or if a quaker upon ſolemn affirmation, reſpecting their conduct as aſſignees; and the ſaid aſſignees ſhall furniſh an account of the particulars of the ſaid bankrupt's eſtate and effects, and of the money received, and payments made out of the ſame, together with their reſpective vouchers, and alſo the banker's receipts for ſums lodged by him or them, which account ſigned by the ſaid aſſignee or aſſignees the ſaid commiſſioners ſhall enter among the proceedings of the ſaid commiſſion; and if it ſhall appear to them, that any aſſignee or aſſignees has or have not lodged the money ariſing and received out of the bankrupt's eſtates and effects in the manner directed by the aforeſaid acts, that then and in ſuch caſe the ſaid commiſſioners ſhall have power, ſhould the ſaid aſſignee or aſſignees of ſaid bankrupt be a creditor under ſaid commiſſion, to ſtop and detain out of his or their reſpective debt or debts the ſum of ten pounds for each hundred pounds, which the ſaid aſſignee or aſſignees ſhall appear to them to have kept in his or their hands for the ſpace of twenty one days, which ſum is to be divided among the other creditors of ſaid bankrupt in proportion to their reſpective debts; and if the ſaid aſſignee or aſſignees ſhould not be a creditor or creditors under the ſaid commiſſion, or though a creditor or creditors ſhould not be entitled to receive a dividend equal to the aforeſaid penalty, then the ſaid commiſſioners ſhall have power to order and direct their clerk to bring a civil bill in the name of ſaid clerk to the amount of ſaid penalty, which when recovered is to be divided among the creditors in manner as aforeſaid; and the judge or judges, before whom ſuch civil bill ſhall be brought, ſhall be obliged to hear and determine the ſame, though it ſhould exceed the ſum of twenty pounds, and the ſaid depoſitions and account taken and certified by ſaid commiſſioners, verified upon the oath of ſaid clerk, ſhall be concluſive evidence.

III. And whereas great expence and injury has ariſen to the creditors of bankrupts by the debtors of bankrupts not paying their debts to the aſſignees: be it enacted by the authority aforeſaid, that the debtor of every bankrupt, who ſhall not pay his, her,

her, or their debts to the aſſignee or aſſignees of each commiſſion, within three months after iſſuing the commiſſion, and demand made by or on behalf of ſuch aſſignee or aſſignees, ſhall be obliged to pay over and above their ſaid debt intereſt for the ſame at the rate of ſix pounds *per centum per annum* from the time of ſuch demand made.

months, and demand made, ſhall pay 6 *per cent.* intereſt from demand.

IV. And whereas great difficulty has ariſen to the aſſignees of bankrupts in the recovery of ſmall debts: be it enacted by the authority aforeſaid, that in all caſes where the debt ſhall not exceed twenty pounds, a copy of the aſſignment of the commiſſioners of the bankrupt's eſtate and effects to the aſſignees under ſaid commiſſion ſhall be concluſive evidence of the iſſuing the commiſſion, and of the perſon therein named being a bankrupt; provided that ſaid aſſignment ſhall have been entered on record in the office of the clerk of the enrolments of bankruptcy, whoſe fee for enrolling ſame ſhall not exceed twenty ſhillings, or for ſaid copy thereof more than ten ſhillings.

Where the debt not above 20l. copy of aſſignment, concluſive evidence of the commiſſion, and bankruptcy, fee for inrolling 20s.

copy 10s.

V. And be it further enacted by the authority aforeſaid, that in all caſes of debts againſt bankrupts, alledged to be due by account, that the creditors of ſuch bankrupt ſhall produce a copy of ſaid account ſigned by himſelf, and ſwear to the truth thereof according to the beſt of his knowledge and belief.

In debts againſt bankrupts by account, creditors ſhall produce copy of account ſigned by him, and ſwear to the truth to belief, &c.

VI. And whereas great inconveniencies have ariſen from the agents or clerks to different commiſſions of bankrupts being conſidered as officers belonging to the aſſignees appointed under the ſaid ſeveral commiſſions, and not ſubject to the controul or direction of the commiſſioners named in ſaid commiſſions, and have frequently refuſed producing the proceedings under ſaid commiſſions to the commiſſioners, and in many inſtances have refuſed to obey their orders: be it enacted by the authority aforeſaid, that every perſon or perſons, who ſhall act as agent or clerk, or who ſhall take out any commiſſion of bankruptcy, ſhall be conſidered as ſecretary or clerk to the ſaid commiſſion, and under the controul and directions of the ſaid commiſſioners, and be obliged to take the oath following:

Acting as agent or clerk, or taking out commiſſion, conſidered as ſecretary or clerk to ſaid commiſſion,

under commiſſioners controul,

And take oath following.

I A. B. *do ſwear, that during ſuch time as I ſhall be employed as agent or clerk to the commiſſion, or in any wiſe concerning the proceedings in a commiſſion of bankrupt, iſſued and awarded and now in proſecution againſt I will faithfully and honeſtly according to the beſt of my ſkill and knowledge write, take down, and tranſcribe all ſuch depoſitions and evidence of the ſaid bankrupt, as of all others who ſhall be ſworn and examined by or before the commiſſioners*

A. D. 1779-80. Chap. 25.

miſſioners under and by virtue of the ſaid commiſſion, as I ſhall by the commiſſioners in the ſaid commiſſion named, or the majority of them, be directed to write, take down, or tranſcribe; and alſo that I will in like manner during ſuch time ſafely and faithfully preſerve and keep from all kind of defalcation and embezzlement all ſuch depoſitions, evidences, and proceedings, while the ſame ſhall be by ſaid commiſſioners committed to my care; and that I will not knowingly uſe or permit to be uſed any fraud, deceit, or impoſition in ſuppreſſing or concealing the truth, or ſuggeſting of a falſehood, in reſpect to any matter or thing, which may in any wiſe tend to or prevent the due and effectual execution of the ſeveral powers and truſts by law repoſed in ſaid commiſſioners.

So help me God.

Acting as meſſengers, and iſſuing commiſſion, or when iſſued acting as agent, incapable of being meſſenger,

meſſenger's oath before warrant of ſeizure.

VII. And be it enacted by the authority aforeſaid, that any perſon or perſons acting as meſſenger or meſſengers, and who ſhall iſſue any commiſſion of bankruptcy, or when iſſued out ſhall act as agent in ſuch commiſſion, he ſhall from ſuch time be conſidered incapable for ever after of holding the office of meſſenger; and every meſſenger, ſhall before the commiſſioners execute their warrant of ſeizure to him, take before them the following oath, that is to ſay:

I A. B. *do ſwear, that I will faithfully, impartially, and honeſtly according to the beſt of my ſkill and knowledge execute the ſeveral orders, which I ſhall receive from the commiſſioners, or the major part of them in this ſaid commiſſion, awarded and iſſued againſt* C. D. *and that I will not knowingly uſe, or permit to be uſed, any fraud, deceit, or impoſition in ſuppreſſing or concealing the truth, or ſuggeſting any falſehood, in reſpect to any matter or thing which may in any wiſe tend to prevent the due and effectual execution of the ſeveral covenants and truſts by law repoſed in ſaid commiſſioners, or that I will not by myſelf, or any other perſon in truſt for me, have any intereſt, employment, or concern in the ſaid commiſſion in any other capacity whatſoever, except that of meſſenger.* *So help me God.*

On affidavit of creditor not reſiding here, before the magiſtrate of the place, certified by notary where creditor lives, of amount of

VIII. And whereas great inconveniencies have ariſen to creditors living out of this kingdom, and who have applied for commiſſions of bankruptcy: be it enacted by the authority aforeſaid, that an affidavit or ſolemn affirmation of any creditor, not reſiding in this kingdom, being made before the magiſtrate of the city, town, or place, and certified by one or more notary publicks where the creditor lives, of the amount of his or her debt,

and

and that tranſmitted to Ireland, and exhibited to the lord chancellor, lord keeper, or commiſſioners of the great ſeal, and ſuch creditor procuring one or more ſufficient perſon or perſons to execute a bond to the lord chancellor, lord keeper, or commiſſioners of the great ſeal for the time being, as in the former act is required for petitioning creditors, and that thereupon and in ſuch caſes the lord chancellor, or lord keeper, or commiſſioners of the great ſeal of Ireland for the time being, ſhall have full power to iſſue a commiſſion of bankruptcy.

debt, tranſmitted and exhibited to lord chancellor, and bond as by former act required for petitioning creditors, commiſſion may be iſſued.

IX. And whereas great inconveniencies may ariſe from members of the houſe of commons, againſt whom commiſſions of bankruptcy may hereafter iſſue and be awarded, continuing to hold their ſeats in parliament: be it enacted by the authority aforeſaid, that in all caſes where a commiſſion of bankruptcy ſhall iſſue and be awarded againſt any ſuch member or members, and ſhall not be ſuperſeded within ſix months from the time of iſſuing thereof, and the creditors proving their debts under the ſame ſhall not be paid or ſatisfied to the full amount thereof, under the ſaid commiſſion, within ſix months after the iſſuing of ſuch commiſſion or otherwiſe, with reſpect to ſuch of the debts, (if any) as ſhall be diſputed by ſuch bankrupt or bankrupts, he or they ſhall not within the time aforeſaid enter into a bond or bonds in ſuch ſum and ſums, and with two ſufficient ſureties, as the ſaid commiſſioners or the major part of them ſhall approve of, to pay ſuch ſum or ſums as ſhall be recovered or eſtabliſhed in any action, ſuit, or other proceeding in law or equity, concerning ſuch debt or debts, together with ſuch coſts as ſhall be given in the ſame, that then the commiſſioners, or the major part of them named in ſuch commiſſion, ſhall, and they are hereby required, immediately after the expiration of ſix months from the iſſuing of the ſaid commiſſion, to certify to the ſpeaker of the houſe of commons, that ſuch commiſſion had iſſued, and was not ſuperſeded within the time aforeſaid; and that the creditors proving their debts under the ſaid commiſſion were not paid or ſatisfied to the full amount thereof under the ſaid commiſſion within ſix months from the time of iſſuing thereof; and that ſuch bond or bonds as herein before mentioned had not been entered into within that time, with reſpect to ſuch of the debts, if any, as the bankrupt or bankrupts ſhall diſpute, and thereupon the ſeat of ſuch bankrupt or bankrupts ſhall be conſidered vacant in all reſpects, and the ſpeaker ſhall iſſue his writ or writs to elect a member or members to ſerve in

On commiſſion againſt a member, not ſuperſeded, and creditors proving debts not fully paid within 6 months, or if debts diſputed, bankrupt not entering into bond with ſureties to pay ſums recovered or eſtabliſhed with coſts, commiſſioners ſhall after the 6 months certify the ſame to the ſpeaker,

bankrupt's ſeat thereupon vacant, ſpeaker to iſſue writs to elect,

A. D. 1779-80. Chap. 25.

in parliament in the place of ſuch bankrupt or bankrupts; and ſuch bankrupt or bankrupts, or any perſon againſt whom a commiſſion of bankruptcy ſhall iſſue, ſhall from thenceforth be rendered incapable of being elected to ſerve in parliament, until his or their creditors ſhall be paid or ſatisfied the full amount of their ſeveral debts claimed and proved under the ſeveral commiſſions of bankruptcy, as ſhall iſſue againſt them.

bankrupts incapable of being elected 'till creditors paid fully, debts proved under commiſſion.

X. And be it further enacted by the authority aforeſaid, that the commiſſioners already appointed or hereafter to be appointed by his Majeſty for hearing cauſes in the court of chancery in this kingdom in the abſence of the lord chancellor, lord keeper, or lords commiſſioners for the cuſtody of the great ſeal, or any two or more of them, ſhall and may hear and determine all petitions and motions in caſes of bankrupts, and make all ſuch orders and directions from time to time in all matters and things touching and reſpecting the bankrupt laws in the abſence or ſickneſs of the lord chancellor, lord keeper, or lords commiſſioners for the cuſtody of the great ſeal for the time being; and in all caſes where the lord chancellor, lord keeper, or lords commiſſioners for the cuſtody of the great ſeal for the time being, ſhall or may be in any wiſe intereſted, as fully and effectually as the lord chancellor, lord keeper, or lords commiſſioners for the cuſtody of the great ſeal might, may, or could do, if preſent or in no wiſe intereſted therein.

Commiſſioners in abſence of lord chancellor, &c. or any 2 or more, may hear and determine motions and petitions, and make orders, in caſes of bankrupts, in abſence or ſickneſs of lord chancellor, &c. or where intereſted.

Mercantile companies or partnerſhips, ſhall ſet forth in invoices, bills of parcels, notes, and entries, names of the individuals.

XI. And whereas great inconveniencies have ariſen to the commerce of this country from mercantile companies not having ſet forth in their invoices, bills of parcels, promiſſory notes, and cuſtom houſe entries, the particular perſons of whom ſuch companies or partnerſhips conſiſts: therefore be it further enacted by the authority aforeſaid, that all mercantile companies or partnerſhips ſhall from and after the paſſing of this act ſet forth in their ſeveral invoices, bills of parcels, promiſſory notes, and cuſtom houſe entries, the names of the ſeveral individuals, of which ſuch partnerſhip or company doth conſiſt.

This act, and 11 & 12 G. 3. c. 8. and 17 & 18 G. 3. c. 48. continued 2 years from 24 *June* 1780, and to end of then next ſeſſion.

XII. And be it enacted by the authority aforeſaid, that this act, and the ſaid recited act of the eleventh and twelfth years of his preſent Majeſty, and alſo an act, entitled, *An act to prevent frauds committed by bankrupts who do not keep regular books of account*, and the ſeveral proviſions thereby made, ſhall continue and be in force for the ſpace of two years from the twenty fourth day of June one thouſand ſeven hundred and eighty, and from thence to the end of the then next ſeſſion of parliament, and no longer.

CHAP.

A. D. 1779-80.

CHAP. XXVI.

An act for amending the acts of the ſecond and eighth years of the reign of his late Majeſty king George the firſt, and of the firſt year of his late Majeſty king George the ſecond, for recovery of ſmall debts in a ſummary way by civil bill, as far as they relate to the county of Dublin.

WHEREAS under the acts of the ſecond and eighth years of the reign of his late Majeſty king George the firſt, and in the firſt year of his late Majeſty king George the ſecond, for recovery of ſmall debts in a ſummary way by civil bill, ſuch of his Majeſty's judges, or council learned in the law, who ſhould with the juſtices of peace for the county of Dublin hold the general quarter ſeſſions of the peace for the county of Dublin, were and are empowered at the ſaid ſeſſions to hear and determine certain cauſes of action for ſmall debts and damages in ſaid acts mentioned, as judges of aſſize were by ſaid acts empowered to hear and determine the ſame, and with like benefit of appeal for parties thinking themſelves aggrieved by any decree or diſmiſs at ſaid ſeſſions, as was given by ſaid acts from the decrees or diſmiſſes of ſaid judge or judges of aſſize: and whereas under ſaid acts ſuch appeals could only be and were uſually brought from any one of ſaid ſeſſions to the next, which hath often been the occaſion of depriving perſons appealing from the decrees and diſmiſſes at ſaid ſeſſions under ſaid acts of the true benefit of appeal according to the intendment of law, in as much as the ſame judge or council learned in the law of his Majeſty having of late time continued for years ſucceſſively with the ſaid juſtices to preſide at ſaid ſeſſions, and to hear and determine ſuch ſuits and appeals, ſo that the ſame judge hath frequently ſince the making ſaid acts heard and determined, and doth uſually hear and determine, ſuch appeals brought from his own decrees and diſmiſſes, which kind of proceeding is contrary to the nature and ſpirit of appeal: for remedy whereof be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty ſo much of ſaid acts, as reſpect the right or manner of bringing appeals from decrees, diſmiſſes, or orders of the ſaid court of general

2 G. 1. c. 11. 8 G. 1. c. 6. 1 G. 2. c. 14. recited;

under ſaid acts, the ſame judge uſually hears appeals from his own decrees;

ſaid acts, as to the right and manner of appeal from general quarter ſeſſions repealed,

A. D. 1779-80.

ral quarter ſeſſions under ſaid acts, ſhall be repealed, and that from and after that day it ſhall and may be lawful for any perſon or perſons, that ſhall think him, her, or themſelves aggrieved by any decree, diſmiſs, or order, that ſhall after that time be made or pronounced at the ſaid general quarter ſeſſions of the peace under or by virtue of ſaid acts, or any of them, to appeal from the ſame to the chief juſtice of his Majeſty's court of king's bench or common pleas, or to the chief baron of his Majeſty's court of exchequer, or other juſtice of *niſi prius* in ſaid courts at their reſpective ſittings of *niſi prius* for the city of Dublin, after the Eaſter or Michaelmas term next following the pronouncing ſuch decree, diſmiſs, or order, in ſuch and the ſame manner, and under ſuch fees, regulations, reſtrictions, and directions, as in the act of the thirty firſt year of our ſaid late king George the ſecond with reſpect to appeals, brought or ſued from the decree or diſmiſs of the recorder of ſaid city of Dublin, is ordered and directed; and the ſaid chief juſtices and chief baron, or other juſtices of *niſi prius* for the ſaid city, are hereby empowered and required at their ſaid ſittings, which for this purpoſe they may hold in their reſpective courts, or any other convenient place in the ſaid city or liberties thereof, and may continue by adjournments as to them ſhall ſeem expedient, to hear and determine the ſaid appeals under ſuch regulations, with ſuch fees and powers, and in ſuch and the like manner, as by the ſaid recited acts are limited, provided, and appointed for appeals to the next going judges of aſſize.

appeal to chief juſtice of B. R. or C. B. or chief baron, or other juſtice of *niſi prius*, at ſittings for *Dublin*, after *Eaſter* or *Michaelmas* following, as in 31 G. 2. c. 16. on appeal from decrees by the recorder,

ſaid juſtices at ſittings in their courts or other place in ſaid city, may hear and determine ſaid appeals, as by ſaid acts appointed for next judges of aſſize.

CHAP. XXVII.

An act to prevent the infliction of the puniſhment of whipping under an act paſſed in the eleventh and twelfth years of his preſent Majeſty, entitled, *An act for the regulation of the city of Cork, and for other purpoſes therein mentioned relative to the ſaid city, without firſt having the perſon, on whom ſuch puniſhment ſhall be inflicted, convicted by a jury.*

WHEREAS by an act made in the eleventh and twelfth years of his preſent Majeſty's reign, entitled, *An act for the better regulation of the city of Cork, and for other purpoſes therein mentioned relative to the ſaid city,* power is given to the mayor or any one juſtice of the peace of the ſaid city to order the perſons convicted of the offences therein mentioned to be publickly whipped: be it enacted by the king's moſt excellent Majeſty by and

11 & 12 G. 3. c. 18. by which mayor and 1 juſtice of *Cork* may order offenders to be whipped,

and with the advice and consent of the lords spiritual and temporal and commons in this present Parliament assembled, and by the authority of the same, That before any such order shall be made, the said mayor and justice of the peace shall summon or cause to be summoned by order under the hand and seal of such mayor or justice a jury of the inhabitants of the said city for the trial of every such offender; and unless such offender shall be convicted by the said jury, that no order shall be made for whipping such offender.

no such order made till a jury of inhabitants summoned for trial, and convicted by said jury.

II. And be it enacted by the authority aforesaid, That if any of the persons so summoned to attend on the said jury shall fail to attend at the time and place mentioned in the said summons, or to serve on the said jury, without having a lawful excuse, that then and in every such case it shall and may be lawful to and for the said mayor or justice of the peace, who has issued such summons, upon oath made before him, that such person has been personally served with the said summons twenty four hours before the hour appointed for the said trial, to fine the said inhabitant so summoned and failing as aforesaid, in any sum not exceeding forty shillings, and to commit the said person to the gaol of the said city 'till such fine shall be paid.

Persons summoned failing to attend or serve without lawful excuse, on oath of service 24 hours before trial fine not above 40s. imprisoned till paid.

III. Provided always, That the person so fined may appeal to the next quarter sessions to be held for the county of the said city; and that in the mean time there shall be no proceedings on the said fines.

Appeal to next sessions and no proceedings on said fines in mean time.

IV. And be it enacted by the authority aforesaid, That the said fines shall be paid over to the use of the workhouse of the said city.

Said fines to workhouse.

V. And be it enacted by the authority aforesaid, That every person serving on the said jury shall take the following oath; which oath the said mayor or justice of the peace is hereby empowered and required to administer.

Juryman's oath.

I A. B. *do swear, that I will well and truly try the matters, that shall be given me in charge, and true verdict give according to the evidence. So help me God.*

VI. Provided always, and be it enacted by the authority aforesaid, That nothing herein contained shall extend to any order to be made for any other punishment to be inflicted under the said recited act, save what relates to the said punishment of whipping.

Not extended to other punishment under said act, save whipping.

A. D. 1779-80.

CHAP. XXVIII.

An Act for the Relief of Perſons who have omitted to Qualify themſelves according to Law.

WHEREAS ſeveral perſons, well affected to his Majeſty's government, and the church of Ireland, as by law eſtabliſhed, may have through ignorance neglected, or been prevented by ſickneſs, or other unavoidable cauſes, from taking and ſubſcribing the oaths, and making, repeating, and ſubſcribing the declaration, and from receiving the ſacrament of the Lord's Supper, and delivering a certificate thereof, according to the directions of an act made in this kingdom in the ſecond year of the reign of her late Majeſty Queen Anne, entitled, *An act to prevent the further growth of popery*, and may thereby have incurred great penalties: be it therefore enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and every perſon and perſons, who have incurred any penalties and incapacities in the ſaid act, entitled, *An act to prevent the further growth of popery*, mentioned, by neglecting to qualify themſelves according to the ſaid act, ſhall be and are hereby indemnified, freed, and diſcharged of and from all incapacities, diſabilities, forfeitures, and penalties, incurred by reaſon of ſuch omiſſion or neglect as aforeſaid; and that no act or acts done by them, or any of them, and not yet avoided, ſhall be queſtioned or avoided by reaſon of ſuch neglect or omiſſion; but all ſuch acts ſhall be, and are hereby declared and enacted to be, as good and effectual, as if all and every ſuch perſon and perſons had taken and ſubſcribed the ſaid oaths, and received the ſaid ſacrament, and delivered a certificate thereof, and made, repeated, and ſubſcribed the ſaid declaration, at ſuch time, place, and manner as is therein mentioned; any thing in the ſaid act to the contrary notwithſtanding.

II. Provided always, That ſuch perſon or perſons do and ſhall take and ſubſcribe the ſaid oaths, and make, repeat, and ſubſcribe the ſaid declaration, in ſuch manner and form, and in ſuch place and places, as are directed and appointed by the ſaid act *to prevent the further growth of popery*, on or before the twenty fourth day of June, which will be in the year of our Lord one thouſand ſeven hundred and eighty one.

III. And whereas ſeveral of his Majeſty's ſubjects are often preferred in the army, while they are reſiding in Great Britain, whereupon they are by the laws in force in that kingdom obliged to qualify themſelves in ſome part of Great Britain by receiving the ſacrament, taking the oaths, and ſubſcribing the declaration thereby required, within the time mentioned in ſuch laws: and whereas the regiment or regiments, in which ſuch officer or officers have commiſſions ſo granted to them, are often ordered into this kingdom, and put upon this eſtabliſhment, by which a doubt has ariſen, whether ſuch officer or officers, notwithſtanding his or their having qualified themſelves in Great Britain for ſuch commiſſion according to the ſaid laws, are not by the ſaid laws in force in this kingdom obliged to qualify themſelves after their arrival here for ſuch commiſſions according to an act of Parliament, paſſed in this kingdom in the ſecond year of the reign of her late Majeſty queen Anne, entitled, *An act to prevent the further growth of popery*: be it enacted by the authority aforeſaid, That no officer or officers ſo preferred in Great Britain, who ſhall have qualified him or themſelves for ſuch commiſſion or commiſſions according to and within the limited time by the ſaid laws made in Great Britain ſhall be obliged to qualify him or themſelves in this kingdom for ſuch commiſſion or commiſſions ſo granted to him or them in ſuch regiment or regiments after their arrival in this kingdom, and being put upon this eſtabliſhment; any law, uſage, or cuſtom, to the contrary notwithſtanding.

IV. Provided

A. D. 1779-80.

IV. Provided always, That this act, or any thing herein contained, ſhall not extend to reſtore or entitle any perſon or perſons to any office or employment already actually avoided by judgment in any of his Majeſty's courts of record, or already filled up by any other perſon, but that ſuch office or employment ſhall be and remain in the perſon or perſons, who is or are now entitled by law to the ſame, as if this act had never been made.

CHAP. XXIX.

An Act for naturalizing ſuch Foreign Merchants, Traders, Artificers, Artizans, Manufacturers, Workmen, Seamen, Farmers, and others, as ſhall ſettle in this Kingdom.

WHEREAS the increaſe of people is a means of advancing the wealth and ſtrength of any nation: and whereas many foreigners and ſtrangers from the lenity of our government, the benefit of our laws, the advantages of our trade, the ſecurity of our property, and from the conſideration of the plentifulneſs of all ſorts of uſeful and profitable commodities with which this your Majeſty's kingdom of Ireland abounds, might be induced to ſettle in this kingdom, if they were made partakers of the advantages and privileges, which the natural born ſubjects of this realm do enjoy: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of September next, all foreign merchants, traders, artificers, artizans, manufacturers, workmen, ſeamen, farmers, and others, who ſhall tranſport him, her, or themſelves to ſettle in any part of this kingdom, ſhall after his, her, or their arrival within this kingdom, and after his, her, or their taking the following oath (or affirmation, if a quaker) before the chief magiſtrate of any city or town corporate in this kingdom for the time being, who is hereby authorized to adminiſter the ſaid oath, and thereupon to certify his, her, or their doing thereof, unto his Majeſty's high court of Chancery there to remain on record, ſhall be deemed, adjudged, and reputed liege, free, and natural ſubject or ſubjects of this kingdom in every reſpect, condition, and degree to all intents, conſtructions, and purpoſes, as if he, ſhe, or they had been or were born within this kingdom; any law or ſtatute to the contrary notwithſtanding, whilſt he, ſhe, or they ſhall reſide within this kingdom, *viz.*

From 1ſt Sept. next all foreigners, who ſettle here, and take following oath before chief magiſtrate, certified to chancery, deemed liege, free, and natural ſubjects in every reſpect, as if born here, while they reſide.

A. D.
1779-80. Chap. 29. The oath.

I do take Almighty God to witness, that I will be faithful and bear true allegiance to our most gracious Sovereign Lord King George the third, and him will defend to the utmost of my power against all conspiracies and attempts whatever, that shall be made against his person, crown, and dignity; and I will do my utmost endeavour to disclose and make known to his Majesty and his heirs all treasons and traiterous conspiracies, which may be formed against him or them: and I do faithfully promise to maintain, support, and defend to the utmost of my power the succession of the crown in his Majesty's family against any person whatsoever; hereby utterly renouncing and abjuring any obedience or allegiance unto the person taking upon himself the stile and title of Prince of Wales in the lifetime of his father, and who since his death is said to have assumed the stile and title of King of Great Britain and Ireland by the name of Charles the third, and to any other person claiming or pretending a right to the crown of these realms; and I do swear, that I do reject and detest as impious to believe, that it is lawful to murder or destroy any person whatsoever for or under pretence of being a heretick, and also that impious principle that no faith is to be kept with hereticks: and I further declare, that it is no article of my faith, and that I do renounce, reject, and abjure the opinion, that princes excommunicated by the Pope and council or by any authority of the See of Rome, or by any authority whatsoever, may be deposed or murdered by their subjects, or by any person whatsoever; and I do promise, that I will not hold, maintain, or abet any such opinion, or any other opinion contrary to what is expressed in this declaration; and I do declare, that I do not believe, that the Pope of Rome, or any other foreign prince, prelate, state, or potentate hath or ought to have any temporal or civil jurisdiction, power, superiority, or preeminence directly or indirectly within this kingdom; and I do solemnly in the presence of God Almighty profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath without any evasion, equivocation, or mental reservation whatever, and without any dispensation already granted by the Pope, or any authority of the See of Rome, or any person whatever, and without thinking that I am or can be acquitted before God or man, or absolved of this declaration, or any part thereof, although the Pope or any other person or authority whatsoever shall dispense with or annul the same, or declare, that it was null and void from the beginning.

So help me God.

A. D. 1779-80.

II. Provided always, that no perſon, naturalized by this act, ſhall be enabled to ſerve in the preſent or any future parliament, nor to be of his Majeſty's privy council, nor to hold any office of truſt, civil or military in this kingdom.

Not to ſerve in parliament, nor of privy council, nor hold offices of truſt.

III. And be it enacted by the authority aforeſaid, that in caſe any perſon or perſons ſhall give any interruption or diſturbance to any merchant, trader, artificer, artizan, manufacturer, workman, ſeaman, farmer, or others aforeſaid to the hindering him in his working, buying, or ſelling as aforeſaid, contrary to the intent and meaning of this preſent act, every ſuch perſon or perſons ſhall for every ſuch offence forfeit the ſum of twenty pounds, to be recovered by complaint before any juſtice of the peace of this kingdom, (who is hereby empowered to examine and determine the ſame) on the oath of one or more credible witneſs or witneſſes, which penalty ſhall be paid over, one moiety to the informer, and the other to the poor of the pariſh where ſuch offence ſhall be committed, and to be levied by warrant under the hand and ſeal of ſuch magiſtrate, and by ſale of the offender's goods.

Diſturbance to ſaid perſons in working, buying, or ſelling,

penalty 20l. on complaint before any juſtice, on oath,

to informer and pariſh poor,

levied by warrant and ſale.

IV. And for the greater encouragement of ſtrangers to come and reſide in this kingdom be it enacted by the authority aforeſaid, that all ſuch ſtrangers, who ſhall come and ſettle in any corporation, town, city, or borough in this kingdom, ſhall be freed from being obliged to undergo any corporation or pariſh offices, for the term of ſeven years after their coming into this kingdom.

Such ſtrangers freed from corporation or pariſh offices 7 years.

CHAP. XXX.

An act for the relief of tenants holding under leaſes for lives containing covenants for perpetual renewals.

WHEREAS great parts of the lands in this kingdom are held under leaſes for lives with covenants for perpetual renewals upon payment of certain fines at the times therein reſpectively mentioned for each renewal: and whereas from various accidents and cauſes ſuch tenants, and thoſe deriving under them, have frequently neglected to pay or tender ſuch fines within the times preſcribed by ſuch covenants after the fall of ſuch lives reſpectively: and whereas many ſuch leaſes are ſettled to make proviſion for families and creditors, moſt of whom muſt be utterly ruined, if advantage ſhall be taken of ſuch neglects, which will occaſion much confuſion and diſtreſs in the kingdom:

Lands held under leaſes for lives renewable on payment of fines,

neglect of tenants to pay or tender within the times,

A. D. 1779-80. Chap. 30.

and whereas it has been for a long time a received opinion in this kingdom, to which ſome deciſions in courts of equity and declarations of judges have given countenance, that courts of equity would in ſuch caſes relieve againſt the lapſe of time upon giving an adequate compenſation to the perſons, to whom ſuch fines were payable, or their repreſentatives: and to the end that ſuch intereſts may not be defeated by a mere neglect, where no fraud appears to have been intended, upon making full ſatisfaction to the leſſors, or thoſe deriving under them; be it declared and enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that courts of equity upon an adequate compenſation being made ſhall relieve ſuch tenants and their aſſigns againſt ſuch lapſe of time, if no circumſtance of fraud be proved againſt ſuch tenants or their aſſigns; unleſs it ſhall be proved to the ſatisfaction of ſuch courts, that the landlords or leſſors, or perſons entitled to receive ſuch fines, had demanded ſuch fines from ſuch tenants or their aſſigns, and that the ſame had been refuſed or neglected to be paid within a reaſonable time after ſuch demand.

that ſuch intereſts may not be defeated by mere neglect where no fraud, on making full ſatisfaction,

courts of equity on adequate compenſation ſhall relieve ſuch tenants and aſſigns againſt ſuch lapſe, if no fraud proved,

unleſs demand of fines proved, and refuſal or neglect to pay in reaſonable time after.

II. Provided always, and be it enacted by the authority aforeſaid, that in caſe the landlord ſhall find any difficulty in diſcovering his tenant or the aſſignee of ſuch tenant, ſo as to make a demand on ſuch tenant or aſſignee, that then and in every ſuch caſe a demand made of the ſaid fine on the lands from the principal occupier of the ſame together with a notice of ſuch demand, to be inſerted for the ſpace of two months in the London and Dublin Gazettes, ſhall be conſidered to all intents and purpoſes a demand within this act.

If difficult to diſcover tenant or aſſignee, demand on the lands from principal occupier with 2 months notice in Gazettes a demand within this act.

III. Provided always, and be it enacted by the authority aforeſaid, that nothing herein contained ſhall in any ſort affect any judgment or decree already given or made, or any ſuit commenced before the fifteenth day of May one thouſand ſeven hundred and eighty, and now depending for the recovery of the poſſeſſion of any manors, meſſuages, lands, tenements, or hereditaments on account of any leaſe or leaſes not having been renewed according to the covenants for perpetual renewals therein contained.

Not to affect judgment or decree given, or ſuit before 15 *May* 1780, and now depending.

CHAP.

CHAP. XXXI.

An act for licenſing and regulating lottery offices, and for other purpoſes therein mentioned.

Notice for ſubſcription for ſale of chances or parts on tickets in lottery under this or any future act, not being poſſeſſed of the ticket,

WHEREAS it is deemed expedient to make ſome further proviſions and regulations in relation to lotteries and lottery office keepers: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that in order to prevent perſons from giving publick notice for taking ſubſcriptions for the ſale of the chances or part of the chances to ariſe on tickets to be iſſued in any lottery or lotteries, which ſhall at any time or times after paſſing this act be ſet up or eſtabliſhed in this kingdom under or by virtue of any act of parliament paſſed or to be paſſed in this or any future ſeſſion of parliament, ſuch perſons not being poſſeſſed of the ticket on which ſuch chances or parts of chances ſhall be propoſed to be ſold thereby, or in any other manner erecting another lottery, or entering into an undertaking reſembling a lottery, for their private benefit, or for any other purpoſe on the foot of any ſuch lottery or lotteries ſo to be erected, that the ſame and all ſuch kind of undertakings ſhall be and are hereby declared to be within the true intent and meaning of the ſeveral acts of parliament made in this kingdom againſt private lotteries; and that if any perſon or perſons ſhall keep any office or offices, or ſhall print or publiſh any ſcheme or propoſal for receiving any ſum or ſums of money in conſideration of any intereſt to be granted for the ſame in any ticket or number of tickets in any ſuch lottery or lotteries, ſo to be eſtabliſhed, at any time or times after paſſing this act as aforeſaid, whereof ſuch perſon or perſons ſhall not then be actually poſſeſſed in his, her, or their own right, or in conſideration of any ſum or ſums of money to be repaid in caſe any ticket or number of tickets in any ſuch lottery or lotteries as aforeſaid, which ſhall not then be in the actual poſſeſſion of ſuch perſon or perſons in his, her, or their own right, ſhall prove fortunate, or ſhall buy, ſell, ſubſcribe or take ſubſcriptions for the purchaſe of any chances or lots, or part or parts of any chances or lots, chance or lot, or of any one or more of the tickets of any ſuch lottery or lotteries as aforeſaid, or of or on the number or numbers of any ſuch ticket or tickets, without having ſuch original ticket or

or erecting another, or undertaking, reſembling,

all within the acts againſt private lotteries,

keeping office, or publiſhing ſcheme for money in conſideration of intereſt in tickets, whereof not then poſſeſſed or to be repaid if fortunate, or buying, ſelling, or ſubſcribing for chances or lots, or on the numbers,

not having the original ticket, or ſelling more ſhares than the conſtituent parts,

tickets in his, her, or their own cuſtody, or poſſeſſion and right, or ſhall ſell any greater number of chances, parts or ſhare of or in any ticket, than the conſtituent parts thereof, or than ſuch ticket ſhall really contain, ſuch perſon and perſons ſhall for every ſuch offence as aforeſaid forfeit and pay the ſum of one hundred pounds, the one moiety thereof to his Majeſty, his heirs and ſucceſſors, and the other moiety thereof to ſuch perſon or perſons as in his, her, or their own right ſhall at the commencement of the drawing of ſuch lottery or lotteries reſpectively be poſſeſſed of the ticket, or tickets on which ſuch lot or chance, or lots or chances, or intereſt ſhall be ſold, or bargained, or ſubſcribed for as aforeſaid.

forfeit 100l.

one moiety to King,

the other to poſſeſſor of the ticket at commencement of drawing.

On ſcheme for advancing ſmall ſums by ſeveral, to be divided by chances of prizes, or delivering tickets on ſo advancing, or any propoſal of like kind, under any name,

II. And be it further enacted by the authority aforeſaid, that if any perſon ſhall after the firſt day of Auguſt one thouſand ſeven hundred and eighty make, print, advertize, or publiſh, or cauſe to be made, printed, advertized, or publiſhed, any propoſal or propoſals, ſcheme or ſchemes, for advancing ſmall ſums of money by ſeveral perſons amounting in the whole to large ſums, to be divided amongſt them by the chances of the prizes in any lottery or lotteries, ſo to be eſtabliſhed at any time or times after paſſing this act, or ſhall deliver out, or cauſe or procure to be delivered out, tickets to the perſons advancing ſuch ſums to entitle them to a ſhare of the money ſo advanced according to ſuch propoſal or propoſals, ſcheme or ſchemes, or ſhall make, print, advertize, publiſh, or cauſe to be made, printed, advertized or publiſhed, any propoſal or propoſals, ſcheme or ſchemes of the like kind or nature under any denomination, name, or title whatſoever, every ſuch perſon ſhall for every ſuch offence, over and above any former penalties inflicted by any former act or acts of parlianent made againſt any private or unlawful lotteries, forfeit the ſum of one hundred pounds.

100l. forfeited above former penalties againſt private and unlawful lotteries.

No tickets, chances, or ſhares, ſold for leſs time than the whole drawing,

III. And be it enacted by the authority aforeſaid, that no perſon or perſons ſhall ſell any ticket or tickets, or any chance or chances, ſhare or ſhares, of or in any ticket or tickets, in any lottery or lotteries ſo to be eſtabliſhed, at any time or times after paſſing this act, for a day or part of a day, or for any other time leſs than the whole time of drawing ſuch lottery or lotteries then to come, or ſhall receive any money whatſoever in conſideration of the repayment of any ſum or ſums of money, in caſe any ticket or tickets in ſuch lottery or lotteries ſhall prove fortunate, or in caſe of any chance or event relating to the drawing of any ticket or tickets in ſuch lottery or lotteries, either as to the time of ſuch ticket or tickets being drawn, or whether ſuch ticket or tickets be drawn fortunate or unfortunate,

nor money received in conſideration of any event as to the time or fortune of tickets,

or

or ſhall publiſh any propoſals for any ſuch purpoſes as aforeſaid, or ſhall lay any wager relating to the drawing of any ticket or tickets in ſuch lottery or lotteries, either as to the time of ſuch ticket or tickets being drawn, or whether ſuch ticket or tickets be drawn fortunate or unfortunate, contrary to the true intent and meaning of this act; and all and every perſon and perſons, who ſhall offend in any of the aforeſaid matters, ſhall forfeit and pay the ſum of one hundred pounds, and alſo all ſum and ſums of money (if any) which ſhall have been received by ſuch perſon and perſons contrary to the true intent and meaning of this act; and every ſuch ſale, wager, or contract, and every agreement relating thereto, ſhall be and is hereby declared to be null and void.

nor propoſals publiſhed nor wagers laid relating to the drawing, as to time or fortune,

100l. forfeited, and money received,

every ſuch ſale, wager, contract, or agreement void.

IV. And be it enacted by the authority aforeſaid, that all and every perſon and perſons, who after the firſt day of Auguſt one thouſand ſeven hundred and eighty ſhall be an adventurer or adventurers in, or ſhall pay any money or other conſideration, or any ways contribute unto or upon the account of, any ſuch ſales, lotteries, propoſals, or ſchemes, as in an act, made in the thirteenth year of the reign of his late Majeſty king George the ſecond, entitled, *An act for the more effectual preventing of exceſſive and deceitful gaming*, and as herein, are ſubjected to penalties, ſhall forfeit for every ſuch offence double the ſum paid and contributed.

Adventurers in, or any way contributing to, ſales, lotteries, or ſchemes, by 13 G. 2. c. 8. and herein, ſubjected to penalties, ſhall forfeit double.

V. And be it further enacted by the authority aforeſaid, that no perſon or perſons ſhall under the denomination of ſale of any goods, wares, or merchandizes, or with or without conſideration, or under any pretence, or in any manner whatſoever, promiſe or agree to pay any ſum or ſums of money upon any chances or event whatſoever relating to the drawing of any ticket or tickets in any lottery or lotteries to be eſtabliſhed at any time or times after paſſing this act, or ſhall publiſh any propoſals for any ſuch purpoſes as aforeſaid contrary to the true intent and meaning of this act, and every perſon and perſons, who ſhall offend in any of the ſaid matters, ſhall forfeit and pay for every ſuch offence the ſum of one hundred pounds; and every ſuch promiſe or contract, and every agreement relating thereto, ſhall be and is hereby declared null and void.

None ſhall under ſale of goods, or with or without conſideration, or under any pretence, promiſe, or agree to pay on any chances or event as to drawing in lottery, or publiſh ſuch propoſals,

penalty 100l.

Such contract void.

VI. And be it further enacted by the authority aforeſaid, that from and after the ſaid firſt day of Auguſt one thouſand ſeven hundred and eighty no perſon or perſons ſhall publickly or privately ſet up, exerciſe, keep, or open by himſelf or any other perſon or perſons, any office or place for buying, ſelling, inſuring,

No office kept for any dealing in tickets, chances, or ſhares, or in the numbers, nor publiſhed

A. D. 1779-80. Chap. 31.

ing, registering, giving, or otherwise dealing in any ticket or tickets, or chances, or parts or shares thereof, or in the number or numbers of any ticket or tickets in any lottery or lotteries whatsoever, to be established at any time or times after passing this act, or shall by any writing or printing publish the setting up or using any such office or place without first taking out a licence for that purpose in manner hereafter mentioned.

without licence as herein,

VII. And be it enacted by the authority aforesaid, that from and after the said first day of August one thousand seven hundred and eighty for every licence to be taken out by any person or persons for every such office or place, used for dealing in or concerning lottery tickets as aforesaid, there shall be paid unto his Majesty, his heirs and successors, over and above all other duties to which the person or persons taking out the same may be respectively liable, the sum of twenty pounds immediately upon taking out such licence; and every such licence shall be granted under the hands and seals of two or more of the managers and directors of such lottery as aforesaid for the time being; and the duty for the same shall be paid at their office or at such other place, and to such person or persons, as the said managers or directors shall appoint to deliver out such licences respectively, and to receive the said duties; and the said managers and directors are hereby required to grant and deliver such licences to all persons applying for the same upon their payment of twenty pounds for each licence as aforesaid.

20l. above all other duties immediately paid on taking out such licence,

granted under hand and seals of 2 or more lottery managers,

duty paid at their office, or as managers appoint,

on payment licence delivered to all applying.

VIII. And be it enacted by the authority aforesaid, that every such licence shall set forth the true name and place of abode of the person or persons taking out the same, and also the place where such business or dealing shall be carried on; and such licence shall be continued in force for such time, not exceeding twelve calendar months from the date thereof, as shall be mentioned in said licence; and every person acting or dealing in any of the matters therein contained without a licence, or after the expiration of such licence, without renewing the same, shall respectively forfeit for each offence the sum of one hundred pounds.

Licence to set forth the person's true name and abode, and place of dealing,

continued not above 12 months from date,

acting without, or not renewing licence, 100l.

IX. And be it further enacted by the authority aforesaid, that every person, who after the said first day of August one thousand seven hundred and eighty shall publish, open, or set up, or keep any such office or place under any the denominations aforesaid, or any like denominations, contrary to the true intent and meaning of this present act, shall forfeit for every such offence the sum of one hundred pounds.

To publish or keep such office, or any like, contrary to this act, 100l.

X. And be it further enacted by the authority aforesaid, that if any person or persons whatsoever shall forge or counterfeit any licence or licences to be made forth by virtue of this act for the purposes aforesaid, such person or persons shall be deemed a felon or felons, and suffer death without the benefit of clergy.

Forging licence felony, death.

XI. And be it further enacted by the authority aforesaid, that all the monies, to arise by the duty hereby granted for licences as aforesaid, shall be applied towards defraying the expences attending the managing, directing, and drawing such respective lotteries or lottery as aforesaid, in such manner as his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, shall direct and appoint.

Licence duty applied to lottery expences, as by chief governor appointed.

XII. And whereas the dividing of chances or tickets in a lottery into very small shares has been found mischievous: be it further enacted by the authority aforesaid, that no person or persons so licensed as aforesaid shall sell any share or shares of any ticket or tickets in any such lottery or lotteries as aforesaid, or of the chance or chances of any ticket or tickets in such lottery or lotteries, in any smaller share or proportion than one sixteenth part or share only, or shall publish any proposals for selling any share or shares of any ticket or tickets in such lottery or lotteries, or of any chance of any ticket or tickets in the same, in any smaller share or proportion than one sixteenth part or share, contrary to the true intent and meaning of this act; and that every person, who shall offend in any of the said matters, shall forfeit and pay for every such offence the sum of one hundred pounds; and every such sale or contract, and every agreement relating thereto, shall be and is hereby declared null and void.

None licenced shall sell shares of chances less than 1-16th,

or publish proposal for such,

penalty 100*l.*

such sale or contract void.

XIII. And be it further enacted by the authority aforesaid, that no such office or place, kept for any of the said purposes so licenced as aforesaid, shall be open for any of the said purposes, or for the transaction of any business relating to such lottery or lotteries as aforesaid, before the hour of seven of the clock in the morning nor after the hour of nine of the clock in the evening, (except on the evening of the Saturday preceding the drawing of such lottery or lotteries respectively) and that the said limitation or restriction in point of time shall be inserted in and made a condition of every such licence; and in case of any breach of the said condition such licence shall be forfeited, and shall and may be revoked by any two or more of the said managers and directors, and over and besides all other penalties to which such person

No office licenced open before 7 in morning nor after 9 in evening,

except Saturday evening before drawing,

made a condition in licence;

on breach forfeited,

revoked by 2 managers,

person or persons may be liable, such licence shall not be renewed, nor shall any new licence be granted to or for the benefit of the same person or persons directly or indirectly for keeping any such o ce or place for any of the purposes aforesaid.

not renewed, nor new licence to or for same person.

XIV. And the more effectually to prevent frauds and abuses in the selling of lottery tickets in shares or chances be it enacted by the authority aforesaid, that his excellency the lord lieutenant, or other chief governor or governors of this kingdom for the time being, shall and may institute and establish, and is and are hereby authorized and required to institute and establish, an office within the city of Dublin for the purposes herein after mentioned, and shall and may appoint, and is and are hereby authorized and required to appoint, some one or more fit and proper person and persons to officiate in and conduct the business of the said office, taking such security for the full and true performance of his or their duty therein as to the said lord lieutenant, or other chief governor or chief governors for the time being, shall seem requisite and necessary; and that each and every ticket in such lottery or lotteries, which shall be established at any time or times after passing this act, before it be divided into or sold in shares or chances, shall be brought to the said office, and shall be there deposited and left with the said officer or officers to be appointed as aforesaid, who is or are hereby authorized to receive the same.

Chief governor shall establish an office in Dublin,

and appoint to officiate,

taking security,

every ticket before divided or sold in shares or chances deposited with said officer.

XV. And be it further enacted by the authority aforesaid, that the said officer or officers, so to be appointed as aforesaid, or his or their deputy or deputies, shall and is and are hereby authorized and required to stamp and mark each and every share or chance of each and every such ticket in such lottery or lotteries as aforesaid, so deposited as aforesaid, with some flourish or device engraved thereon; and that the said officer or officers so to be appointed as aforesaid, or his, her, or their deputy or deputies, upon the receipt of every such ticket or any number of tickets in such lottery or lotteries as aforesaid for the purpose aforesaid, shall give a receipt or receipts to the holder or proprietor, at whose office such ticket or tickets is or shall be shared or divided, in writing for the same in the form following, (that is to say)

Every share of such ticket stamped or marked with some device engraved,

receipt given to holder or proprietor.

The receipt.

Received the day of one thousand seven hundred and , a ticket in the present lottery, number , which is divided into shares or chances, pursuant to an act of parliament made in the nineteenth and twentieth year of

of the reign of king George the third, entitled, An act for licenſing and regulating lottery office keepers, and for other purpoſes therein mentioned; *which ſaid ticket now remains and is in my cuſtody in purſuance of the ſaid act.*

Every ſuch ticket divided ſhall remain with ſaid officer till ten days after drawing,

then returned on producing officer's receipt.

XVI. And be it further enacted by the authority aforeſaid, that each and every ſuch ticket in ſuch lottery or lotteries as aforeſaid, as ſhall be ſo depoſited in the ſaid office, and ſhall be divided into ſhares or chances, purſuant to this act, ſhall remain and continue in the cuſtody and poſſeſſion of the ſaid officer or officers, ſo to be appointed as aforeſaid, until the expiration of ten days next after the drawing of ſuch ticket in ſuch lottery or lotteries reſpectively; and that on the expiration of ten days next after the drawing of ſuch ticket in ſuch lottery or lotteries reſpectively ſuch ticket ſhall be returned to the owner or owners thereof, his, her, or their agent or agents, aſſignee or aſſignees, upon producing the ſaid officer's ſaid receipt for the ſame.

Books kept by ſaid officers, in which number of every ticket ſo depoſited regiſtered, with names of perſons depoſiting, and ſhares into which divided, inſpected paying 1d.

XVII. And be it further enacted by the authority aforeſaid, that a book or books ſhall be kept by the ſaid officer or officers ſo to be appointed as aforeſaid, who ſhall truly and fairly enter and regiſter in ſuch book or books the number of each and every ticket in ſuch lottery and lotteries reſpectively, which ſhall be ſo as aforeſaid depoſited in the ſaid office for the purpoſe aforeſaid, together with the name and names of all and every ſuch perſon or perſons who ſhall ſo leave and depoſit the ſame for the purpoſes aforeſaid, and alſo the number of ſhares or chances into which each and every ſuch ticket in ſuch lottery or lotteries reſpectively ſhall be ſo divided as aforeſaid; which book or books any perſon or perſons ſhall and may from time to time, and at all ſeaſonable times, reſort to and inſpect on payment of the ſum of one penny of lawful money of Great Britain to the ſaid officer or officers ſo to be appointed as aforeſaid.

On depoſiting ticket 2d. every ſhare into which divided, paid to officers,

incident charges and expences borne by ſaid officers.

XVIII. And be it further enacted by the authority aforeſaid, that upon the leaving and depoſiting of any ticket in ſuch lottery or lotteries as aforeſaid at or in the ſaid office with the ſaid officer or officers ſo to be appointed as aforeſaid for the purpoſes aforeſaid the perſon or perſons, who ſhall ſo leave and depoſit the ſame, ſhall pay to the ſaid officer or officers, ſo to be appointed as aforeſaid, for each and every ſhare or chance into which each and every ſuch ticket in ſuch lottery or lotteries ſhall be divided by the ſaid officer or officers, ſo to be appointed as aforeſaid, the ſum of two pence of lawful money of Great Britain; and that with

with the monies ariſing from ſuch fee to be paid as aforeſaid the ſaid officer or officers, ſo to be appointed as aforeſaid, ſhall bear and pay all ſuch incident charges and expences, as ſhall or may attend the receipt, entry, and taking care of all ſuch tickets in ſuch lottery or lotteries, as ſhall be brought to and depoſited in the ſaid office as aforeſaid, for the purpoſe aforeſaid, and all other expences attendant on the ſaid office.

100l. forfeited every ſhare or chance ſold or expoſed without being ſtamped by ſaid officers.

XIX. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall at any time or times hereafter ſell or expoſe to ſale any ſhare or chance of any ticket in ſuch lottery or lotteries as aforeſaid, without ſuch ſhare or chance ſhall have been firſt ſtamped and marked by the ſaid officer or officers purſuant to this act, that then and in ſuch caſe every ſuch perſon and perſons ſo offending ſhall forfeit and pay the ſum of one hundred pounds for each and every ſhare or chance ſo ſold or expoſed to ſale as aforeſaid.

Forging receipt, or procuring or aſſiſting, for ſhare or chance of tickets,

or altering, uttering, vending, or diſpoſing,

or bringing ſuch knowingly to any with fraudulent intent.

XX. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall forge or counterfeit or cauſe or procure to be forged or counterfeited, or ſhall willingly act or aſſiſt in the forging or counterfeiting, any receipt or receipts for any ſhare or ſhares, chance or chances, of any ticket or tickets, ſigned, divided, made and delivered out by virtue of this act, or alter any number, figure, word, or ſtamp therein or thereon, or utter, vend, barter, or diſpoſe of any ſuch forged, counterfeited, or altered receipt or receipts for any ſhare or ſhares, chance or chances, of any ticket or tickets, or ſhall bring any ſuch forged or counterfeited receipt or receipts, or any ſhare or ſhares, chance or chances, the ſtamp whereof or any figure or word therein ſhall have been altered (knowing the ſame to be ſuch) to any perſon or perſons with a fraudulent intention, or ſhall willingly aid, abet, aſſiſt, hire, or command any perſon or perſons to commit any ſuch offence as aforeſaid, then and in every ſuch caſe all and every ſuch perſon or perſons ſo offending ſhall be deemed a felon and felons, and ſhall ſuffer death without benefit of clergy.

or to abet, hire, &c.

felony, death.

Vice treaſurers with chief governor's approbation may appoint perſons to ſign tickets in lotteries purſuant to act this ſeſſion.

XXI. And whereas it would tend much to the furthering and expediting any lottery or lotteries to be eſtabliſhed in this kingdom, if a ſufficient number of perſons were authorized to ſign the tickets of ſuch lottery or lotteries, it being impracticable for the deputy vice treaſurer to ſign every ticket in ſuch lottery or lotteries with his own hand without greatly impeding the other neceſſary buſineſs of his office: be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the vice

treaſurer or vice treaſurers, receiver general or paymaſter general, his or their deputy or deputies, if they ſhall think fit, with the approbation of his excellency the lord lieutenant or other chief governor or governors of this kingdom for the time being, to appoint one or more perſon or perſons, acting and uſually employed in the office of the vice treaſurers of this kingdom, to ſign all or any of the tickets which ſhall be iſſued in any lottery or lotteries to be eſtabliſhed, purſuant to any act paſſed or to be paſſed in this ſeſſion of parliament, with his or their name or names for the vice treaſurer or vice treaſurers, receiver general, or paymaſter general, or his or their deputy or deputies; and that ſuch ſigning by ſuch perſon or perſons ſo to be appointed ſhall be as effectual to all intents and purpoſes, as if ſuch tickets were ſigned by ſuch vice treaſurer or vice treaſurers, receiver general, or paymaſter general, his or their deputy or deputies; any law to the contrary notwithſtanding.

XXII. And whereas by a former act paſſed in this preſent ſeſſion of parliament for eſtabliſhing a lottery it was enacted, that the ſaid lottery ſhould conſiſt of forty two thouſand tickets: and whereas Griffin Curtis of the city of London, gentleman, did purchaſe thirty tickets in the ſaid lottery, to wit, from number ſix thouſand three hundred and eleven to ſix thouſand three hundred and thirty, both incluſive, and from number ſix thouſand three hundred and forty one to ſix thouſand three hundred and fifty, both incluſive; and it is alledged, that the ſaid thirty tickets were loſt with the mail of the ſixth of March laſt going from Dublin to Holyhead: be it enacted by the authority aforeſaid, that the ſaid Griffin Curtis, his executors, adminiſtrators, and aſſigns ſhall receive from the proper officer or officers of his Majeſty's treaſury in the ſaid act mentioned a debenture or debentures for the amount of the ſum or ſums contained in any prize or prizes, that may happen to ariſe in the ſaid lottery from the above mentioned thirty numbers, or any of them, in like manner as if he or they had the ſaid tickets, or ſuch of them as ſhall prove fortunate in ſaid lottery, to produce to ſuch officer or officers, he the ſaid Griffin Curtis, his executors, adminiſtrators, or aſſigns, firſt proving to the ſatisfaction of the ſaid officer or officers that ſuch tickets were his property, and were loſt as aforeſaid, and alſo giving unto ſuch officer or officers ſufficient ſecurity in the penalty of the amount of ſuch debenture or debentures conditioned to indemnify ſuch officer or officers from any claim or demand from any other perſon or perſons whatſoever

Debentures given for prizes for tickets loſt with the mail as if the tickets produced,

on proof of property and ſuch loſs,

and ſecurity to indemnify.

A. D. 1779-80. Chap. 31.

ever for any prize or prizes ariſing from any or either of ſaid numbers.

Penalties recovered in court of record at Dublin.

XXIII. And be it enacted by the authority aforeſaid, that all and ſingular the penalties herein and hereby impoſed ſhall and may be recovered by action of debt, bill, plaint, or information in any of his Majeſty's courts of record at Dublin, in which no eſſoign, wager of law, or more than one imparlance ſhall be allowed.

Suits in 3 months,

XXIV. Provided always, and be it further enacted by the authority aforeſaid, that no ſuit or action ſhall be commenced or brought againſt any perſon or perſons for any penalty or forfeiture incurred by any offence contrary to the proviſions herein contained, unleſs the ſame ſhall be commenced or brought within three calendar months next after the fact was committed, or ſuch cauſe of action ſhall have accrued, and not afterwards, and ſhall be laid or brought in the county, city, or place, wherein ſuch offence ſhall have been committed, or ſuch cauſe of action ſhall have ariſen, and not elſewhere.

laid where cauſe accrued.

1-3d of penalties to informer,

XXV. And be it enacted by the authority aforeſaid, that one third of all and ſingular the penalties and forfeitures hereby impoſed (and not herein otherwiſe diſpoſed of) after deducting the reaſonable charges of the ſuit or proſecution for the recovery thereof, ſhall be applied and go to the informer, and the remaining two thirds to the incorporated ſociety for promoting Engliſh proteſtant ſchools, for the uſe of ſuch of the charter ſchools as they ſhall think fit.

2-3ds to charter ſchools.

Defendants may plead general iſſue, and give this act and ſpecial matter in evidence,

XXVI. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall be ſued, moleſted, or proſecuted for any thing done by virtue or in purſuance of this act, ſuch perſon or perſons ſhall and may plead the general iſſue, and give this act and the ſpecial matter in evidence in his, her, or their defence at the trial or trials, which ſhall be had thereupon, and that the ſame was done in purſuance of or by authority of this act; and if afterwards a verdict ſhall paſs for the defendant or defendants, or the plaintiff or plaintiffs ſhall diſcontinue his, her, or their action or proſecution, or be nonſuited, or judgment ſhall be given againſt him, her, or them, upon demurrer or otherwiſe, then ſuch defendant or defendants ſhall have treble coſts awarded to him or them againſt any ſuch plaintiff or plaintiffs, proſecutor or proſecutors, and have like remedy for the ſame, as any defendant or defendants hath or have for coſts in any other caſes by law.

and have treble coſt on verdict, nonſuit, &c.

CHAP.

A. D. 1779-80.

CHAP. XXXII.

An act for amending and explaining the ſeveral laws made in this kingdom for carrying on the Lagan navigation.

WHEREAS by an act paſſed in the twenty ſeventh year of the reign of his late Majeſty king George the ſecond of glorious memory certain duties, rates, and impoſitions were granted to his ſaid late Majeſty, his heirs and ſucceſſors, for a certain term therein ſpecified, (to wit) an additional duty of exciſe of one penny by the gallon over and above the duties then payable to his Majeſty upon every gallon of beer or ale that was above the price of ſix ſhillings each barrel, brewed within that part of the diſtrict of Liſburn, commonly known and diſtinguiſhed by the Gauger's walks of Belfaſt, Liſburn, Moira, and Hillſborough, by the common brewer, or in his veſſels, or by any perſon or perſons who ſhould vend the ſame by retail, to be paid by ſuch common brewer, or by ſuch other perſon or perſons who ſhould brew the ſame to ſell by retail, as alſo one penny additional duty on every gallon of the like beer and ale which ſhould be brewed in any other walk or diſtrict, and which ſhould be brought into the ſaid walks or any of them for ſale, the ſaid additional duties to be paid by the perſon or perſons who ſhould do bring in and vend the ſame; and alſo an additional duty of four pence by the gallon, and proportionably for any leſſer quantity, over and above the duties of exciſe before payable to his Majeſty on every gallon of *aquavitæ*, ſtrong waters, ſpirits, made or diſtilled within the ſaid walks for ſale, or that ſhould be made or diſtilled in any other part of this kingdom and brought into the ſaid walks or any of them to be therein vended by retail: and it was provided by the ſaid act, that ſuch additional duties ſhould be repaid, in caſe any beer, ale, *aquavitæ*, ſtrong waters, or ſpirits, for which the ſaid additional duties ſhould or ought to be paid as aforeſaid, ſhould be within twelve months, after the ſaid additional duties ſhould be ſo paid, exported out of this kingdom, or carried out of the ſaid walks to any other part of this kingdom; and it was thereby enacted, that the ſaid additional duties, as they ſhould from time to time be brought into the receipt of his Majeſty's exchequer, ſhould be paid over to the corporation for promoting and carrying on an inland navigation in this kingdom, to be laid out and expended by them or their order in making the ſaid river Lagan navigable, and opening a paſſage by water between Loughneagh and the ſaid town of Belfaſt: and whereas by an act paſſed in

27 *G.* 2. c. 3. additional duties granted,

A. D. 1779-80. Chap. 32.

amended and continued, 3 *G.* 3. c. 6.

and by 11 & 12 *G.* 3. c. 26. continued 9 years from 25 Dec. 1773, including manors excepted in 3 *G.* 3. c. 6.

said 3 acts amended and duties continued 32 years from 25 Dec. 1782 by 13 & 14 *G.* 3. c. 12.

and commissioners enabled to borrow 10000l. for said navigation,

said 10000l. with said duties since expended on said navigation,

the third year of the reign of his present most gracious Majesty king George the third, the said recited act was amended and continued for a certain term specified in the said act of the third year of his present Majesty in and throughout such Part of the gauger's walks of Belfast, Lisburn, Moira, and Hillsborough within the said district of Lisburn, as are not part and parcel of the manors of Hillsborough, Kilwarlin, Castlereagh and Slatneals: and whereas by an act passed in the eleventh and twelfth years of the reign of his present Majesty the said two former acts were amended, and the said additional duties granted by the said act of the twenty seventh year of the reign of his late Majesty King George the second were further granted and continued for nine years from the twenty fifth day of December one thousand seven hundred and seventy three in and throughout that part of the district of Lisburn, commonly known and distinguished by the gauger's walks of Belfast, Lisburn, Moira, and Hillsborough, including such part or parcels of the manors of Hillsborough, Kilwarlin, Castlereagh, and Slatneals, as was or were excepted in the said act of the third year of his present Majesty: and whereas by an act passed in the thirteenth and fourteenth years of the reign of his present Majesty the said three former acts were amended, and the said additional duties granted by the said act of the twenty seventh year of the reign of his late Majesty king George the second were further granted and continued for the term of thirty two years from the twenty fifth day of December one thousand seven hundred and eighty two in and throughout that part of the district of Lisburn commonly known and distinguished by the gauger's walks of Belfast, Lisburn, Moira, and Hillsborough, including such parts or parcels of the manors of Kilwarlin, Castlereagh, and Slatneals, as were contained in the said act of the twenty seventh year of the reign of his late Majesty king George the second, but excepted in the said act of the third of his present Majesty; and the persons, appointed or to be appointed local commissioners for promoting and carrying on an inland navigation in Ireland, were by the said act of the thirteenth and fourteenth years of his present Majesty enabled to borrow any sum or sums of money, not exceeding in the whole the sum of ten thousand pounds, for the purpose of carrying on the said Lagan navigation, to be secured in manner as by the said act is directed: and whereas the said sum of ten thousand pounds together with the produce of the said duties, rates, and impositions have since the passing of the said last mentioned act been expended on the said navigation; but it appears,

pears, that ſaid ſeveral ſums are far from being ſufficient to compleat the ſaid undertaking, and that a very conſiderable additional ſum will be neceſſary for that purpoſe: and whereas the right honourable Arthur earl of Donegal, the right honourable Wills earl of Hillſborough, the right honourable Francis earl of Hertford, the right honourable John earl of Moira, the right reverend James lord biſhop of Down and Connor, and ſeveral other perſons, are willing to advance and pay conſiderable ſums of money towards compleating the ſaid work; it becomes therefore proper and expedient, that they ſhould have ſome adequate compenſation and ſecurity for the ſums, they ſhall ſo advance and pay, and that they ſhould have the produce of the ſaid additional duties, and alſo of the tolls or lockage payable and to be paid on the ſaid navigation, until thereby or by ſome other means, not only the ſums which have already been borrowed, but alſo ſuch further ſum and ſums of money as ſhall by virtue of this preſent act be advanced and applied for the purpoſe aforeſaid, and the accruing intereſt thereof, after the rate of five pounds for the hundred yearly, be fully paid off and ſatisfied: therefore be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that immediately after this preſent act ſhall paſs into a law, the ſaid Arthur earl of Donegal, Wills earl of Hillſborough, Francis earl of Hertford, John earl of Moira, James lord biſhop of Down and Connor, and their executors, adminſtrators, and Aſſigns, having a property in the ſtock of the company, and not otherwiſe, and alſo ſuch other perſon or perſons as have heretofore become ſubſcribers in purſuance of the ſaid former acts, or any of them, for carrying on the ſaid navigation, and alſo ſuch perſon and perſons as ſhall hereafter under and by virtue of this act advance and pay any ſums or ſum of money for carrying on the ſaid navigation, and the executors, adminiſtrators, and aſſigns of ſuch perſons having as before mentioned a property in the ſtock of the ſaid company, and not otherwiſe, ſhall be united and erected into one company for carrying on the ſaid navigation, and ſhall be thenceforth one body politick and corporate by the name of the company of undertakers of the Lagan navigation, and ſhall have perpetual ſucceſſion during the continuance of this act, and a common ſeal, and by that name may ſue and be ſued, and ſhall thenceforth be capable in law to purchaſe and take meſſuages, lands, tenements, and hereditaments, not exceeding the value of five hundred pounds a year at the time of ſuch purchaſe, and to grant,

not ſufficient to compleat the undertaking.

perſons willing to advance money ſhould have compenſation and ſecurity, and produce of ſaid duties and tolls, till fully paid, and intereſt at 5 *per cent.*

perſons having property in the ſtock, former ſubſcribers, and ſuch as hereafter advance money, having ſuch property erected into a company,

a body corporate named, have perpetual ſucceſſion,

to ſue and be ſued,

purchaſe not above 500l. a year,

A. D. 1779-80. Chap. 32.

grant, alien, demiſe, or diſpoſe of the ſame, or any part thereof, at their free will and pleaſure, and that the ſaid company ſhall thenceforth by virtue of this act be fully impowered by themſelves, their agents, overſeers, workmen, and ſervants to carry on and compleat the ſaid navigation, canal, and communication between Loughneagh and the ſaid town of Belfaſt through Blairis to Spencer's Bridge, and from thence to Loughneagh, and alſo if they ſhall think proper at any time or times, after the ſaid paſſage between Loughneagh and the town of Belfaſt ſhall be opened, during the continuance of this act to make and carry ſuch part of the ſaid navigation as hath been already made out of the bed of the river by a canal or cut, or by ſuch other ways and means as to them ſhall ſeem proper; and that the ſaid company ſhall in like manner be impowered, and they are hereby impowered, to open all rivers, and to make all ſuch outlets, off branches, cuts, and navigations, trenches, paſſages, aqueducts, bridges, dams, and weirs, as may by ſuch company be judged neceſſary for carrying on the ſaid works, or for ſupplying the ſaid canals and navigations with water.

may grant, demiſe, or diſpoſe at pleaſure,

impowered to complete ſaid navigation,

and make a canal or cut, &c.

open rivers, make outlets, bridges, weirs, &c.

II. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid company from time to time, as occaſion ſhall require, to aſſemble in the town of Belfaſt, or in the towns of Liſburn, Hillſborough, Moira, or Lurgan, or in any of them, and from time to time to adjourn ſuch aſſemblies, and at ſuch aſſemblies or adjournments thereof to make ſuch bye-laws or orders for the better government of their affairs and of their members, and for making ſuch contracts and agreements, and aſcertaining the tolls and lockage to be paid on the ſaid navigation, and for appointing ſuch ſervants and perſons for carrying on the ſaid navigation, as they ſhall think fit, and to vary or repeal ſuch bye laws, rules, and orders, and to make new ones for the good and orderly uſing of the ſaid navigation, and for ſettling the wages, and for the well governing the bargemen, watermen, and boatmen, who ſhall convey any goods thereon, and to impoſe reaſonable fines and forfeitures upon all perſons offending therein, the ſaid fines and forfeitures to be levied by ſuch ways and means as the company ſhall direct, ſo as no ſuch fine ſhall exceed five pounds upon any perſon for one offence; and the ſaid bye-laws being put into writing under the ſeal of the ſaid company ſhall be binding on and obſerved by all parties, and ſhall be ſufficient in any court of law or equity to juſtify all perſons, who ſhall act under the ſame, or in levying any penalty or forfeiture thereby incurred.

To aſſemble in Belfaſt, &c.

and adjourn,

make bye laws or orders,

vary or repeal, and make new,

impoſe and levy fines,

not above 5l. one offence,

bye laws under ſeal binding,

and juſtify all who act under.

III. Provided

III. Provided always, that the ſaid bye-laws ſhall not be contrary to the laws and ſtatutes of this realm, but ſhall be approved of by the lord high chancellor of Ireland for the time being, the lord chief juſtice of the king's bench for the time being, the lord chief juſtice of the common pleas for the time being, and the lord chief baron of the court of exchequer for the time being, or any two of them.

Not contrary to law, approved by lord chancellor, C. J. of B. R. or C. B. and chief baron, or any two.

IV. Provided always, that eight days notice at the leaſt, including the day of ſuch notice and the day of meeting, previous to ſuch meeting, ſhall be given of the time and place of holding ſuch aſſemblies for making bye laws in the Belfaſt News Letter, or in ſuch other publick newſpaper as ſhall be agreed on by the ſaid company.

8 days notice of meeting inclufive in the *Belfaſt* or publick news agreed on.

V. Provided nevertheleſs, that any perſon, who ſhall think himſelf aggrieved by any order or judgment in purſuance of any ſuch bye law, may complain withoin ſix months thence after to the juſtices at the quarter ſeſſions in the county, wherein ſuch bye laws ſhall be carried into execution, who ſhall in a ſummary way hear and determine the ſaid complaint at ſuch quarter ſeſſions; and, if they ſee cauſe, may mitigate or alter ſuch fines or forfeitures, and may order any money to be returned, which ſhall have been levied or paid in purſuance of ſuch bye laws, and may alſo order ſuch further ſatisfaction to be made, and give ſuch coſts to the party injured, as they ſhall judge reaſonable.

Complaint in 6 months to quarter ſeſſions,

heard ſummarily,

fines mitigated,

ſatisfaction made,

and coſts to party injured.

VI. And be it enacted by the authority aforeſaid, that the ſeveral ſums of money heretofore ſubſcribed or paid purſuant to the ſaid recited acts of parliament, or any of them, together with all ſuch ſums of money as ſhall by virtue of and under this act be advanced and paid for the carrying on the ſaid navigation, ſhall be deemed, taken, and conſidered to all intents and purpoſes as the joint ſtock of the ſaid company.

Payments under this or ſaid acts deemed joint ſtock.

VII. And be it enacted by the authority aforeſaid, that no perſon ſhall vote at any aſſembly of ſaid company, or have any right to intermeddle in any ſort in the affairs of the ſaid company, unleſs he or ſhe ſhall have advanced and paid the ſum of five hundred pounds ſterling at the leaſt towards carrying on the ſaid navigation, or have in his or her own name and right, or in right of his or her teſtator or inteſtate, at leaſt the ſum of five hundred pounds ſterling in the ſtock of the ſaid company; and that every member of the ſaid company, who ſhall have ſubſcribed and paid, or be five hundred pounds intereſted

None to vote or intermeddle unleſs advancing or having in his own or teſtator's or inteſtate's right 500l.

on payment of, or intereſted in, 500l. intitled to 1 vote.

A. D. 1779-80. Chap. 32.

terested therein as aforesaid, shall have one vote in all such assemblies.

none to vote unless actual proprietor of 500l. stock or solely interested in right of his wife, infant, or person incapacitated.

VIII. Provided always, that no person shall be intitled to vote at any assembly of the said company, unless at the time of his voting he is an actual proprietor in his own right of five hundred pounds stock in the said company, or is solely interested in the said stock to that amount, either in right of his wife, or as trustee for an infant, or other person incapacitated from voting.

1 vote every 500l. as aforesaid.

IX. And provided also, that every member shall have one vote for every five hundred pounds, that he shall at the time of such voting be proprietor of, or solely interested therein as aforesaid.

Proxies may be appointed,

members may appear in person or by proxy under hand and seal,

determined by majority,

X. And provided also, that every member shall have power to appoint a proxy for every vote, he shall be intitled to under this act; and that the respective members, who shall have a right to vote at such assemblies, may appear either in person or by proxy or proxies, appointed by an instrument or instruments in writing under their respective hands and seals and that the majority of votes at such assemblies shall determine all matters in question;

casting vote to chairman besides vote as member or proxy.

and if there be an equality of votes that the chairman of such assemblies shall have a casting vote besides his vote as a member or proxy of a member of the said company.

5 having right to vote must be present.

XI. Provided always, that at every such assembly there shall be present at least five persons, who shall have a right to vote; or otherwise such assembly shall have no power to carry into execution any of the powers or authorities hereby given.

Company's proceedings booked,

XII. And be it further enacted by the authority aforesaid, that the accounts, transactions, and proceedings of said company shall be fairly and regularly entered in books to be kept for that purpose, to which every person having in his or her own name and right any share in said joint stock, or his or her representative or representatives, may have access at all reasonable times to inspect or copy out.

access to persons having share in their own right, or representatives, to inspect or copy.

All lands, rights, &c. now vested in the corporation, and all materials and utensils, duties and rates, for carrying on the work, vested in said company and successors,

XIII. And be it further enacted by the authority aforesaid, that the several lands, tenements, and hereditaments, rights, privileges, and advantages, water, water courses, bridges, sluices, drains, locks, weirs, banks, dams, roads, towing paths, and other ways, which now are vested in the corporation for promoting and carrying on an inland navigation in this kingdom, or are now in the possession and enjoyment of the said corporation for the purposes of carrying on the said navigation between the said town of Belfast and Loughneagh, and also the mate-

rials and utenſils which have been provided for carrying on the ſaid work, together with all duties, rates, and impoſitions whatſoever, payable for or on account of, or in any manner ariſing from, the ſaid work, ſhall, immediately after this act ſhall have paſſed into a law, be veſted in ſaid company and their ſucceſſors; and that ſaid company and their ſucceſſors ſhall from and after the time aforeſaid be veſted with and ſhall hold and enjoy all and ſingular the powers, privileges, advantages, and authorities, in all things for the purpoſe of carrying on the ſaid navigation from the ſaid town of Belfaſt to Loughneagh aforeſaid, with all the parts, members, and connections thereof, as are now veſted in the ſaid corporation by virtue of the ſeveral acts heretofore made in this kingdom or any of them; and that the ſaid company ſhall and may be inveſted with all ſuch powers, as are veſted in the ſaid corporation, as by the ſaid acts or any of them are directed, for the valuing any lands, houſes, tenements, and hereditaments, as may be neceſſary for compleating the ſaid work, and for making ſuch wharfs, quays, ſtorehouſes, locks, baſons, banks, towing and track ways, and docks, as may be judged by the ſaid company proper for ſaid work, and alſo, if they ſhall think proper, for making a navigable canal from the town of Belfaſt aforeſaid to a place called the Union Locks, ſituate in Blairis aforeſaid, independant and out of the bed of the ſaid river Lagan, or of ſuch places and parts of the ſaid river as the ſaid company ſhall judge proper and expedient, and that they may be enabled to purchaſe and hold ſuch lands, houſes, tenements, and hereditaments for the purpoſes aforeſaid.

ſaid company to enjoy all powers veſted in ſaid corporation by the ſeveral acts,

and for valuing lands, &c. neceſſary for compleating ſaid work, making wharfs, quays, &c.

and, if thought proper, a canal from *Belfaſt* to *Union Locks*, &c. places out of ſaid river,

and may purchaſe and hold for ſaid purpoſes.

XIV. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid company to take, turn, or draw the waters of ſuch rivers, rivulets, and brooks, as may be interſected by the ſaid navigation or any part thereof, or which runs contiguous thereto, or which can be brought to ſupply the upper or any other level of the ſaid navigation, or ſo much thereof as they ſhall judge neceſſary, the ſaid company making ſatisfaction to the proprietors of any mills or bleach greens on ſuch brooks, rivers, ſtreams, or rivulets, that ſhall receive any damage thereby, provided ſuch mills or bleach greens ſhall have been erected before the paſſing of this preſent act.

Company may turn waters interſected by ſaid navigation, or contiguous, or to ſupply any level,

ſatisfying damage to mills or bleach greens before erected.

XV. And be it enacted by the authority aforeſaid, that in conſideration of the expence and trouble which the ſaid company ſhall be put to in making and maintaining the ſaid navigation, together with the off branches thereof, it ſhall and may be lawful

Toll for veſſels navigating with goods or other matter, and for paſſengers,

A. D. 1779-80. Chap. 32.

ful to and for the ſaid company and their ſucceſſors from time to time and at all times during the continuance of this act to aſk, demand, ſue for, and receive to the uſe of the ſaid company ſuch rates, tolls, lockage and duties for every boat, barge, or other veſſel navigating the ſaid navigation or any part thereof either upwards or downwards, in which any goods, merchandizes, or commodities, or any other matter whatſoever, ſhall be carried, and for each and every paſſenger in ſuch boat, barge, or other veſſel, as the ſaid company ſhall by their bye laws ordain and appoint.

as by bye laws appointed.

XVI. And be it enacted by the authority aforeſaid, that in caſe of refuſal to pay the ſaid ſeveral duties it ſhall and may be lawful to and for the ſaid company and their ſervants either to diſtrain ſuch boats, barges, or other veſſels, or the goods therein for the ſame, and diſpoſe thereof as is uſual in caſes of diſtreſs for nonpayment of rent, or to ſue for the recovery of the ſame by civil bill; and in caſe any diſpute ſhall ariſe touching the ſum to be paid for every ſuch rate, the ſame ſhall be adjuſted by any juſtice of the peace of the county, in which ſuch diſpute ſhall happen, with liberty to either party to appeal from ſuch determination to the next going judge of aſſize for the county, wherein ſuch diſpute ſhall ariſe, whoſe determination therein ſhall be final.

On refuſal may diſtrain as for rent, or ſue by civil bill,

diſputes as to rate adjuſted by any juſtice of the county,

appeal to next judge of aſſize,

final.

XVII. And be it enacted by the authority aforeſaid, that the collector within the ſaid diſtrict, who ſhall collect the ſaid duties, or his ſucceſſors, and the treaſurer or clerk of the ſaid company for the time being, into whoſe hands the ſaid tolls ſhall be paid, ſhall out of the firſt of the ſaid duties and tolls, which ſhall come into their hands, pay the ſalaries of the lock keepers, and the neceſſary expences of keeping the ſaid works in repair, and ſhall in the next place at Lady day and Michaelmas in each year, or within fifteen days after the ſaid feaſts reſpectively, pay and diſcharge thereout half yearly all intereſt, that ſhall be due to the creditors under the ſaid recited acts, or any of them, at the rate of five pounds for each one hundred pounds yearly, according to and in ſuch order as it ſhall appear to ſuch collector, treaſurer, or clerk, from ſuch indorſement as mentioned in the ſaid act of the thirteenth and fourteenth years of his preſent Majeſty on the aſſignments or debentures, that have been granted purſuant to the ſaid act, that the ſame have been granted; and ſhall in the next place at the feaſt days aforeſaid, or within fifteen days after the ſame reſpectively, pay and diſcharge thereout half yearly all intereſt, that ſhall be due to ſuch perſons, as

Out of 1ſt of ſaid duties and tolls, ſalaries of lock keepers and expences of repairing works paid,

next at Lady day and Michaelmas, or in 15 days after, pay half yearly intereſt at 5 *per cent.* to creditors under ſaid acts, in the order as by indorſement on debentures purſuant to 13 & 14 *G.* 3. c. 12. next to creditors under this act in like manner,

ſhall

ſhall advance and pay any ſum or ſums of money in purſuance of this act for carrying on the ſaid navigation at the rate aforeſaid; and from and after the expiration of twenty years, to be computed from the ſaid twenty fifth day of December one thouſand ſeven hundred and ſeventy three, until which time it is not hereby intended, that the ſaid company ſhall be compellable to pay any part of the principal ſums ſubſcribed or to be ſubſcribed, the ſaid collector and treaſurer or clerk reſpectively, after payment of ſuch ſalaries and the neceſſary expences of keeping the ſaid works in repair as aforeſaid, and paying the intereſt that ſhall be due to the ſaid creditors and ſubſcribers, ſhall pay and apply the ſum of five hundred pounds yearly and every year out of the ſaid duties and tolls, together with ſo much of the ſaid duties and tolls as during ſaid term of twenty years is to be applied to the payment of the intereſt of the ſaid principal ſums, but afterwards, as ſaid principal ſums ſhall be diſcharged, will not be wanting for the payment of the intereſt thereof, to the diſcharge and payment of the principal ſums which ſhall be then due and owing to the creditors, who have advanced their money purſuant to the ſaid recited acts, or any of them, or to the executors, adminiſtrators, or aſſigns of ſuch creditors, according to and in the order before mentioned.

and after 20 years from 25 *Dec.* 1773, ('till which ſaid company not compellable to pay principal) ſhall apply 500*l.* yearly out of ſaid duties & tolls (with ſo much as during ſaid 20 years was to have been applied to intereſt) to diſcharge of principal, in order before mentioned.

XVIII. And be it enacted by the authority aforeſaid, that the ſaid additional duties, or ſuch part thereof as ſhall from time to time be brought into the receipt of his Majeſty's exchequer, ſhall be paid over without any fee or deduction by the vice treaſurer or receiver general of this kingdom upon an order or draft to be ſigned by any three members or proxies of the ſaid company for the time being; and that the ſaid company ſhall and may, if the ſame ſhall be found neceſſary, for the ſpace of twenty years to be computed from the twenty fifth day of December one thouſand ſeven hundred and ſeventy three, after payment of the ſalaries to lock keepers, and the neceſſary expences of keeping the ſaid works in repair, and paying all intereſt that ſhall be due to the creditors, who have advanced their money purſuant to the ſaid former acts, or any of them, according to the priority aforeſaid, and alſo all intereſt that ſhall be due to the ſubſcribers, who ſhall advance their money purſuant to this act, and not ſooner, apply and expend the remainder of ſaid duties and tolls to the purpoſes of carrying on the ſaid navigation; and from the expiration of the before mentioned term of twenty years after payment of ſalaries to lock keepers, and the neceſſary expences of keeping the ſaid works in repair, and paying all intereſt

Said duties paid by vice treaſurer on order ſigned by 3 members or proxies, without fee,

ſaid company ſhall if neceſſary, for 20 years from 25 *Dec.* 1773, after payments aforeſaid, apply remainder of duties and tolls to ſaid navigation,

and from ſaid 20 years after payments aforeſaid (and not ſooner) ſhall, if neceſſary, apply remain-

A. D. 1779-80. Chap. 32.

tereſt that ſhall be due to the creditors, who have advanced their money purſuant to the ſaid former acts, or any of them, according to the priority aforeſaid, and alſo the intereſt that ſhall be due to the ſubſcribers, who ſhall advance their money purſuant to this act, and after payment of the yearly ſum of five hundred pounds, and alſo ſo much of the ſaid duties and tolls as during the aforeſaid term of twenty years is to be applied to the payment of the intereſt of the ſaid principal ſums, but afterwards, as ſaid principal ſums ſhall be diſcharged, will not be wanting for payment of the intereſt thereof, to the diſcharge and payment of the principal ſums which ſhall be then due and owing to the creditors, who have advanced their money purſuant to the ſaid former acts, or any of them, according to the order and priority aforeſaid; and after payment thereof, and not ſooner, the ſaid company ſhall and may, if the ſame ſhall be found neceſſary, apply and expend the remainder of the ſaid duties and tolls in proſecution of the ſaid work, and in paying the principal ſums which ſhall be then due to the creditors, who ſhall advance their money in purſuance of this act, in ſuch manner as the ſaid company ſhall think proper.

der of duties and tolls to ſaid work, & to principal due to creditors under this act.

Not to prejudice creditors under ſaid acts, or demands concerning ſaid navigation.

XIX. Provided always, that nothing in this act contained ſhall in any ſort interfere with or prejudice the demands of any creditor or creditors, who have advanced any ſum or ſums of money on any ſecurity or ſecurities granted purſuant to the ſaid recited acts, or any of them, or any perſon or perſons whatſoever having any claims or demands touching or in any wiſe concerning the ſaid navigation.

Said company may borrow at 5 *per cent.*

XX. And be it further enacted by the authority aforeſaid, that if the ſaid company ſhall think proper at any time to borrow money for carrying on the ſaid works, more than they ſhall themſelves chuſe to ſubſcribe and advance for that purpoſe, it ſhall be lawful for the ſaid company to take up and borrow upon the credit of the ſaid works, and their eſtate and intereſt therein, any ſum not exceeding the amount of ſo much of the ſums to be ſubſcribed under this act, as ſhall be actually expended on the ſaid works, at any rate of intereſt not exceeding five pounds *per centum per annum*, and to ſtrike debentures for ſuch ſum or ſums ſo borrowed in ſuch manner as ſaid company by their bye laws ſhall appoint; which debentures ſhall be an actual charge and lien upon ſuch parts of the ſaid company's eſtate, as ſhall be therein ſpecified.

and ſtrike debentures as by bye laws appointed,

a lien upon their eſtate therein.

Aſſignment or debenture tranſferable

XXI. And be it enacted by the authority aforeſaid, that the perſon or perſons, to whom any aſſignment or aſſignments, debenture

benture or debentures, hath or have been given and perfected by virtue of the ſaid former acts, or any of them, or the executors, adminiſtrators, or aſſigns of ſuch perſon or perſons, to whom any aſſignment or aſſignments, debenture or debentures, ſhall be given and perfected by virtue of this act, or the executors, adminiſtrators, or aſſigns of ſuch perſon or perſons, may by indorſement thereon or otherwiſe, or by will, transfer and diſpoſe of their right and benefit in and to the ſame; and alſo that it ſhall and may be lawful for every proprietor of the joint ſtock of the ſaid company to aſſign or bequeath his or her ſhare therein, and upon notice given of any transfer of the ſaid debentures, or of any part of the ſaid ſtock, by aſſignment, bequeſt or otherwiſe, to the clerk or regiſter of the ſaid company, and an entry thereof made in the book kept by him of the orders and proceedings of ſaid company, the endorſee, aſſignee, or legatee, his executors, adminiſtrators, and aſſigns ſhall be intitled to the ſole benefit of the ſum or ſums ſo transferred, aſſigned, or bequeathed; and that the ſaid aſſignments, debentures, or ſtock may in like manner be again transferred, aſſigned, or diſpoſed of by ſuch aſſignee or aſſignees, or legatee, his, her, or their executors, adminiſtrators, or aſſigns, and ſo from time to time as often as occaſion ſhall require; and that after ſuch aſſignment made it ſhall not be in the power of the perſon or perſons, who ſhall make ſuch aſſignment, to make void, releaſe, or diſcharge the ſame, or the ſum or ſums thereby transferred or aſſigned, or any part thereof; and that every aſſignment or bequeſt to be made or given of any money due by any of the ſaid debentures, or that ſhall hereafter be due or chargeable upon the property of the ſaid company, or be any part of the joint ſtock of the ſaid company, ſhall be entered in a book for that purpoſe, to be kept at ſuch place as ſhall be appointed by the ſaid company; and that no aſſignment or bequeſt ſhall be deemed good and effectual to intitle any perſon to vote in any of the aſſemblies of the ſaid company, until entry thereof ſhall be made in ſuch book as aforeſaid.

by indorſement, or otherwiſe, or by will,

ſhare of joint ſtock aſſigned or bequeathed,

on notice of transfer to the clerk, and entry, indorſee, &c. intitled,

ſo from time to time,

not after in power of aſſignor,

every aſſignment or bequeſt entered,

no vote in aſſembly 'till entry.

XXII. And be it enacted by the authority aforeſaid, that the ſaid company, their executors, adminiſtrators, and aſſigns ſhall be intitled to the tolls, duties, and advantages and profits hereby veſted in them in proportion to their reſpective intereſts in the joint ſtock of the ſaid company, (ſubject to ſuch charges as the ſaid company ſhall think fit to make for compleating and preſerving ſaid works) and the ſoil and water of the canal and navigation,

Intitled to tolls, &c. in proportion to intereſt in joint ſtock, ſubject to charges for works,

ſoil, water, &c. deemed

vigation, together with the banks thereof, and ſuch other portions of ground as the ſaid company are impowered to acquire by virtue of this act; and that the ſaid proprietor's intereſt therein ſhall be deemed and adjudged in all courts of law and equity to be perſonal and not real eſtate; and that the capital ſtock of the ſaid company, or the intereſt of any particular member therein, ſhall not be liable to any foreign attachment.

perſonal eſtate, ſtock not liable to foreign attachment.

XXIII. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for every ſubſcriber under the ſaid former acts, or any of them, and every other perſon who ſhall advance or pay any ſum of money under and by virtue of this act towards compleating the ſaid work, and through whoſe lands or eſtate the ſaid navigation or any part thereof now doth or hereafter may paſs and be carried, to charge his real eſtate for the uſe of his younger child or children with the payment of ſuch ſum and ſums of money and other intereſt, which he may have in the ſaid joint ſtock, as he ſhall aſſign or bequeath to his heir, any ſettlement or any law, uſage, or cuſtom to the contrary notwithſtanding; it being judged moſt fit and proper that the proprietors of eſtates, through which the ſaid navigation does or ſhall paſs, ſhould have a property and intereſt therein.

Subſcriber and lender, thro' whoſe eſtate ſaid navigation carried, may charge his real eſtate for younger children with the payment, notwithſtanding ſettlement, &c.

Turnpikes on track ways,

and toll taken,

the toll.

XXIV. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid company to erect one or more turnpikes upon and acroſs any of the trackways, which now are or ſhall be made on either ſide of the ſaid navigation, and to take and receive the following tolls, for which they may diſtrain and ſell, as is uſual at other turnpikes; (that is to ſay) for every coach, berlin, choriot, or chaiſe, drawn by ſix horſes, one ſhilling: for every coach, berlin, chariot, or chaiſe, drawn by leſs than ſix horſes, and more than one, ſixpence; for every waggon two ſhillings and ſixpence; for every cart or other carriage with four wheels ſixpence; for every chaiſe with one horſe threepence; for every car or cart with more than one horſe twopence; for every car or cart with one horſe one penny; for every ſingle horſe one penny; for every drove of oxen, cows, or neat cattle twenty pence by the ſcore; and for every drove of calves, hogs, ſheep, goats, or lambs ten pence by the ſcore, and ſo in proportion for any greater or leſſer number.

Paid but once a day at one gate,

no publick road obſtructed.

XXV. Provided always, that ſuch toll ſhall be paid only once at one gate in any one day; and that no road, which is now publick, ſhall be thereby obſtructed.

XXVI. And

XXVI. And be it enacted by the authority aforeſaid, that the owner of every veſſel or boat above the burthen of two tons navigating the ſaid canal or navigation, or any of the off branches thereof, ſhall cauſe his, her, or their names and places of abode, and alſo the name of the perſon having the care of ſuch veſſel or boat, and his place of abode, with the dimenſions or tunnage of their reſpective boats or veſſels, to be painted in large capital letters on the upper part of the quarter on each ſide of ſuch veſſel or boat, and to be kept conſtantly legible upon the ſame; and ſhall cauſe the ſame ſeveral particulars to be entered in a book kept by ſaid company for that purpoſe; and ſhall alſo cauſe the ſaid boat to be numbered as aforeſaid; or in default thereof every ſuch owner ſhall forfeit the ſum of forty ſhillings, to be recovered by any perſon who will ſue for the ſame.

Owner's name & abode of boats above 2 tons, and perſons having the care, painted in capitals on each ſide, with tunnage, kept legible, booked, numbered, penalty 40s. to proſecutor.

XXVII. And be it further enacted by the authority aforeſaid, that the owner of every ſuch boat or veſſel navigating the ſaid canal, or any of the off branches thereof, ſhall be anſwerable for any damage or miſchief, which ſhall be done by any of the crew or perſons belonging to any ſuch boat or veſſel to any of the works of the ſaid navigation, or to any of the goods laden in ſuch boat or veſſel.

Anſwerable for damage by the crew to the works or goods laden.

XXVIII. And be it enacted by the authority aforeſaid, that if any perſon having the charge or management of any boat or other veſſel, or navigating or working the ſame, ſhall lay ſuch boat or veſſel ſo as to obſtruct the paſſage of other boats or veſſels, and ſhall not upon requeſt immediately remove the ſame, or ſhall hinder the opening or ſhutting of any of the locks, ſluices, dams, or other works of the ſaid navigation, or if the perſon having the care or management of ſuch veſſel ſhall be abſent (unleſs by reaſon of ſome inevitable accident) from the boat or veſſel, to which he belongs, at any time during the courſe of the paſſage on the ſaid canal, cuts, or river, every perſon ſo offending ſhall for every ſuch offence forfeit any ſum not exceeding forty ſhillings.

Obſtructing other boats,

hindering, opening, or ſhutting locks, &c.

abſence, unleſs inevitable,

penalty not above 40s.

XXIX. And be it further enacted by the authority aforeſaid, that if any perſon ſhall wilfully throw any ballaſt, ſtones, dung, dirt, rubbiſh, or clay into the river, canal, or cuts, or into any of the parts of the ſaid navigation, or ſhall without the conſent of the ſaid company, or of ſome of their officers, lay any ſtones, dung, dirt, rubbiſh, brick, lime, timber, or clay on any track, road, or bank belonging to the ſaid canal or navigation, ſuch perſon being thereof convicted before any juſtice of the peace of the county, wherein ſuch offence ſhall be committed,

Throwing in rubbiſh, &c.

or laying on any track or bank,

on 1 witneſs before a juſtice, 40s. to the company,

A. D. 1779-80. Chap. 32.

ted, by the oath of one witneſs at the leaſt, ſuch perſon ſhall forfeit to the ſaid company the ſum of forty ſhillings; and in caſe ſuch offender ſhall not immediately after conviction pay ſaid ſum, he ſhall by the warrant of ſuch juſtice be ſent to the houſe of correction to be kept to hard labour for ſuch time, as ſuch juſtice ſhall direct, not exceeding three months: and if any perſon ſhall keep any raft of timber or boards floating on the ſaid navigation, or any part thereof, without the conſent of the ſaid company, ſuch perſon being convicted thereof before any juſtice of peace as aforeſaid ſhall forfeit the ſum of forty ſhillings to the ſaid company for every ſuch offence, and ſhall alſo make full ſatisfaction to the ſaid company for any damage, that may be done thereby.

on non payment committed not above 3 months,

floating raft 40s. and ſatisfaction for damage.

XXX. And be it further enacted by the authority aforeſaid, that if any boat or other veſſel ſhall happen to be ſunk in the ſaid navigation, and the owner and perſon having the care of her ſhall not without loſs of time weigh or draw up the ſame out of the way of other veſſels paſſing upon the ſaid navigation, any agent or ſervant of the ſaid company may cauſe ſuch boat or veſſel to be weighed or drawn up, and detain the ſame, until payment be made of all expences occaſioned thereby; and, if ſuch payment be not made in four days, ſhall cauſe ſale to be made thereof for reimburſing the ſaid expence or incident charges, and ſhall return the overplus, if any there be, to the owner of ſuch boat or veſſel.

Boats ſunk, if not weighed up ſpeedily, weighed by company's agents,

detained till expence paid,

if not in 4 days, ſold to reimburſe,

XXXI. And be it further enacted by the authority aforeſaid, that if any perſon ſhall maliciouſly open or cauſe to be opened any lock, ſluice, weir, dam, gate, or water courſe belonging to the ſaid navigation, or ſhall ſo leave any of the ſame open or running, after any boat or veſſel ſhall have paſſed any lock belonging to the ſaid navigation, or ſhall otherwiſe maliciouſly miſpend or waſte the water of the ſaid navigation, every perſon for ſuch offence ſhall forfeit the ſum of three pounds; and if any perſon or perſons ſhall wilfully and maliciouſly break down or damage, or cauſe to be broken down or damaged, any of the works, already made or which ſhall be made for the uſe of the ſaid navigation, all and every perſons ſo offending, and being thereof convicted upon an information or indictment, ſhall forfeit to the ſaid company treble the ſum neceſſary to be laid out in repairing ſuch damage; which ſum ſhall be aſcertained by the jury, who ſhall try ſuch offence; and the judge, before whom ſuch offence ſhall be tried, ſhall commit ſuch offender or offenders to the common goal, till he or they ſhall pay to the ſaid company the ſum

Maliciouſly opening lock, &c.

or ſo leaving after boats paſſing,

or waſting the water,

forfeit 3l.

breaking down or damaging works forfeit treble the repair, on information or indictment,

aſcertained by the jury,

imprſoned till payment,

laid where offence.

or ſums ſo aſcertained, ſuch offence ſhall be laid in the county, in which the ſame happened.

27 G. 2. c. 3. 3 G. 3. c. 6. 11 & 12 G. 3. c. 26. and 13 & 14 G. 3. c. 12. continued in force, ſave as herein altered.

XXXII. Provided always, that the aforeſaid act of the twenty ſeventh year of the reign of his ſaid late Majeſty, and alſo the ſaid acts of the third and of the eleventh and twelfth and of the thirteenth and fourteenth years of his preſent Majeſty, and every clauſe or article in the ſaid acts, or any of them, except in ſuch particulars or reſpects as the ſame are or may be altered by this preſent act, ſhall remain and continue in full force, as if this act had not been made.

General iſſue may be pleaded, and ſpecial matter in evidence.

XXXIII. And be it enacted by the authority aforeſaid, that if any ſuit ſhall be commenced or proſecuted againſt any perſon or perſons for any act, matter, or thing, that ſhall be done in purſuance of this act, ſuch perſon may plead the general iſſue and give the ſpecial matter in evidence; and that this act ſhall be judged, deemed, and taken as a publick act, and ſhall be judicially taken notice of by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame.

a publick act.

The funds charged with payment of damages to *Letitia Maxwell*.

XXXIV. And whereas it is alledged, that the truſtees or commiſſioners, appointed to execute the purpoſes of the ſaid recited ſtatute of the twenty ſeventh of the ſaid late King, in order more effectually to execute ſuch purpoſes were obliged during the minority of Miſs Letitia Maxwell to occupy with materials, and make a track road, and a cut through ſeveral parts of the lands of Drumbegg in the county of Down, the real eſtate of the ſaid Letitia, and that the ſaid Letitia hath not yet received any compenſation for the ſame; and for as much as the powers and authorities now remaining in the corporation for carrying on and promoting an inland navigation in Ireland with reſpect to the navigation of the river Lagan will from the time of the paſſing this act be transferred to and veſted in the company hereby incorporated for carrying on and compleating the inland navigation, mentioned in the ſaid recited ſtatute of the twenty ſeventh of the ſaid late King: therefore be it further enacted by the authority aforeſaid, that from and immediately after the paſſing of this act the funds heretofore and hereby provided for carrying on and compleating the ſaid navigation ſhall become charged and chargeable with the payment of ſuch damages (if any) as the ſaid Letitia Maxwell hath ſuſtained by the means aforeſaid, and ſuch as may be aſſeſſed by a jury, or eſtimated by an amicable award or arbitration.

as aſſeſſed by jury or award.

Paid by the treaſurer in 6 months after,

XXXV. And be it further enacted by the authority aforeſaid, that ſuch ſum or ſums of money, as ſhall be ſo aſſeſſed or awarded,

A. D. 1779-80.

ed, shall be paid to the said Letitia Maxwell, her executors, or administrators, out of the said funds by the treasurer to the company or corporation hereby instituted in six months, after the same shall be so assessed or awarded.

CHAP. XXXIII.

An act for granting bounties on the export of certain species of the linen and hempen manufactures of this kingdom therein enumerated; and for repealing the bounties on flax seed imported, and for encouraging the growth thereof in this kingdom.

Cultivation of flax seed discouraged by bounties on import,

WHEREAS flax seed raised in this kingdom is found to be of as good quality as any imported, and sufficient quantities could be raised therein, if the cultivation thereof were promoted, and not discouraged by bounties on the importation of foreign flax seed: and whereas the annual average amount of those bounties for eight years ending the twenty fifth day of March one thousand seven hundred and seventy nine appears to have been the sum of seven thousand two hundred and fifty pounds five shillings one penny, and five eighths of a penny yearly: be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the twenty fourth day of June one thousand seven hundred and eighty no bounty or premium shall be paid for or on account of any flax seed or linseed imported into this kingdom; any law to the contrary notwithstanding.

annual average of bounties 8 years 25 *March* 1779, 7250l. 5s. 1d. and 5-8ths,

after 24 *June* 1780, no bounty on flax seed or linseed imported.

II. And that from the said twenty fourth day of June one thousand seven hundred and eighty until the twenty fifth day of December one thousand seven hundred and eighty one inclusive a sum after the rate of seven thousand two hundred and fifty pounds sterling *per annum* for said time shall be applied to encourage the growth of flax seed and hempseed in this kingdom; the said sum to be paid out of such monies as the said bounties on imported flax seed have been usually paid out of, or out of all or any of the aids and duties granted this session of parliament, by the vice treasurers, receivers or receiver general, in this kingdom, his or their deputy or deputies, without any further or other warrant to be sued for, had, or obtained in that behalf, in manner herein after mentioned.

From 24 *June* 1780, to 25 *Dec.* 1781, a sum after rate of 7250l. *per ann.* applied to encourage growth of flax seed and hemp seed, paid out of same monies as bounties, or out of duties this session, by vice treasurer without further warrant.

III. And

III. And be it further enacted by the authority aforeſaid, that the truſtees of the linen and hempen manufactures ſhall and they are hereby required to propoſe and publiſh ſuch premiums, amounting in the whole annually to the ſum of ſeven thouſand two hundred and fifty pounds ſterling, for encouraging the growth of flax ſeed and hemp ſeed in all or any of the counties in this kingdom, and in ſuch proportions in each county to be claimed under ſuch reſtrictions and regulations as they ſhall think proper,

Truſtees ſhall publiſh premiums to 7250l. annually for growth of flax and hemp ſeed in ſuch proportions and reſtrictions as they think fit.

IV. Provided always, that every claim ſhall be required to be made before and ſhall be adjudged by the grand jury of the county at ſome aſſizes to be appointed by the ſaid truſtees for that purpoſe, or on the day after ſuch aſſizes, by ſuch perſons as compoſed the grand jury or the majority of them.

Claim adjudged by grand jury at aſſizes appointed by truſtees, or day after.

V. And be it enacted by the authority aforeſaid, that ſo ſoon as the ſaid truſtees ſhall have determined and publiſhed the proportions of money to be diſtributed for premiums as aforeſaid in each county, they ſhall give notice thereof in writing to the vice treaſurers, receiver or paymaſter general, his or their deputy or deputies, ſpecifying the ſum to be diſtributed in each county, and the aſſizes at or immediately after which the ſaid premiums are to be reſpectively claimed and adjudged; and the vice treaſurers, receiver or paymaſter general, his or their deputy or deputies, are hereby required to remit and pay at any convenient time before ſuch aſſizes to the reſpective treaſurer of each county the ſum, ſo to be diſtributed in his county reſpectively.

Notice by truſtees of the proportions in each county, and aſſizes, to vice treaſurers, to be remitted before to treaſurer of each county.

VI. And be it further enacted by the authority aforeſaid, that every treaſurer receiving ſuch money as aforeſaid ſhall pay upon demand without fee or reward to every perſon, to whom any ſuch premium ſhall be adjudged, the full amount of premium ſo adjudged to him or her, and ſhall enter ſaid payments and monies by him received in a book to be by him kept for that purpoſe; which account, verified by him upon oath, ſhall be laid before the grand jury at the ſucceeding aſſizes; and every ſuch treaſurer ſhall for any neglect, refuſal, or miſbehaviour in any matter herein enacted to be done or performed by him, be accountable in like manner, and ſubject to like penalties and regulations, as he is now by law ſubject to for or in reſpect of money raiſed for the repair of roads.

Premium adjudged, paid on demand without fee,

receipts and payments booked,

on oath, laid before grand jury next aſſizes,

treaſurer for neglect or miſbehaviour, ſubject as for road money.

VII. And for the further encouragement of flax ſeed and hemp ſeed to be raiſed in this kingdom be it enacted by the authority aforeſaid, that there ſhall be raiſed, levied, and paid to your Majeſty, your heirs and ſucceſſors, a duty of ſix pence a gallon

6d. *per* gallon on linſeed oil imported in ſaid time,

A. D. 1779-80. Chap. 33.

for and upon every gallon of linſeed oil, which ſhall be imported into this kingdom during the time aforeſaid; and that the ſame and all money ariſing thereby ſhall be paid to the ſaid truſtees, and ſhall be by them expended in further encouraging the raiſing of flax ſeed or hemp ſeed in this kingdom.

paid to ſaid truſtees to encourage raiſing ſeed.

VIII. And be it further enacted by the authority aforeſaid, that the ſaid truſteees ſhall keep or cauſe to be kept ſeparate and diſtinct accounts of all money, expended by them in promoting the growth of flax ſeed and hemp ſeed.

Diſtinct accounts kept of money ſo expended.

IX. And whereas it would tend much to the enlargement of the linen and hempen manufactures, if various branches thereof were to be encouraged by a bounty on their exportation: be it enacted by the authority aforeſaid, that every perſon or perſons, who ſhall export out of this kingdom to Africa, America, Spain, Portugal, Gibraltar, or the iſland of Minorca, at any time or times between the twenty fourth day of June one thouſand ſeven hundred and eighty and the twenty fifth day of December one thouſand ſeven hundred and eighty one incluſive, any Iriſh linens made of flax or hemp of the breadth of twenty five inches or more, ſhall receive without fee or reward the bounties following, that is to ſay, for every yard thereof under the value of five pence the ſum of one halfpenny; and for every yard thereof of the value of five pence, and under the value of ſix pence halfpenny, the ſum of one penny; and for every yard thereof of the value of ſix pence halfpenny, and under the value of one ſhilling and ſeven pence halfpenny, the ſum of three halfpence; and that every perſon or perſons, who ſhall export to any of the ſaid places during the time aforeſaid any Iriſh chequed or ſtriped linen of the breadth of twenty five inches or more, or any Iriſh made diapers, huckabacks, ſheeting, or other pieces of linen upwards of one yard in breadth, ſhall receive without fee or reward the bounties following, that is to ſay, for every yard of ſuch chequed or ſtriped linen not exceeding one ſhilling and ſeven pence halfpenny, and not under ſeven pence the yard in value, the ſum of one halfpenny; and for every ſquare yard of ſuch diaper, huckaback, ſheeting, or other linens, upwards of one yard in breadth, and not exceeding one ſhilling and ſeven pence halfpenny the ſquare yard in value, the ſum of three halfpence for every ſquare yard thereof, and ſo in proportion for any quantity exceeding a ſquare yard; and that every perſon or perſons, who ſhall export during the time aforeſaid to any place except Great Britain any Iriſh made ſail cloth or canvas, fit for or made into ſails, by way of merchandize, ſhall receive without fee or deduction a bounty of ſix pence halfpenny for every three ells thereof.

Bounties on export of *Iriſh* linens 25 inches broad, to *Africa*, &c. between 24 *June* 1780, and 25 *Dec.* 1781,

and chequed or ſtriped linen, or diaper, &c. 1 yard broad,

and for ſail cloth or canvas to any place except *G Britain.*

X. Provided

X. Provided always, that the exporter of ſuch ſail cloth or canvas, before he receives ſaid bounty, ſhall make oath (which oath the proper officer of the revenue at the port, where the ſame ſhall be ſhipped, ſhall have power to adminiſter) that ſuch ſail cloth or canvas was made in Ireland, and is actually exported or ſhipped to be exported without any intention to be relanded in any part of Great Britain, Ireland, or the Iſle of Man, or the iſlands of Faro or Ferro, and that no former reward or bounty has been paid for the ſame by virtue of this act.

Oath that the ſail cloth or canvas made in *Ireland*, exported or ſhipped to be without relanding in *G. Britain*, *Ireland*, *Man*, or *Faro*, and no former bounty.

XI. Provided always, that the exporter or ſeller for exportation of ſuch Iriſh linens, Iriſh chequed or ſtriped linens, and Iriſh huckabacks, diapers, ſheetings, and other ſpecies of linens, ſhall in his entry thereof expreſs the quantity and value thereof, and likewiſe endorſe on the cocket granted upon ſuch entry the true quantity and value of the linens intended to be ſhipped; and moreover ſhall, before he receives ſuch bounty, produce a certificate from the ſearcher or other proper officer appointed to ſee the ſame ſhipped, verifying the ſhipping thereof, and ſhall likewiſe give ſufficient ſecurity to the collector or other chief officer of the port in the penalty of double the value of the goods intended to be exported, and one hundred pounds, which ſecurity every ſuch collector or other officer is hereby impowered and required to take in the name and to the uſe of his Majeſty, his heirs and ſucceſſors, that ſuch linens, diapers, huckabacks, ſheeting, or other ſpecies of linens, ſo ſhipped or intended to be ſhipped, or any part thereof, ſhall not be relanded or brought on ſhore again in any port or part of Great Britain, Ireland, or the Iſle of Man, and ſhall alſo, before he receives any ſuch bounty, make oath (which oath the proper officers of the cuſtoms have hereby power to adminiſter) of the value of ſuch linens, and that the ſame were made in Ireland.

Quantity and value in exporter's entry, and indorſed on the cocket, before bounty paid, ſearcher's certificate produced,

and ſecurity in double value, and 100l. not to reland in *G. Britan*, *Ireland*, or *Man*,

and oath of value, and made in *Ireland*.

XII. And in order to prevent abuſes in obtaining the ſaid bounty be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for any ſurveyor or other proper officer, after the entry of any linens as being entitled to the ſaid bounty, and before or after the ſhipping thereof, to open and ſtrictly examine any bale, truſs, cheſt, or other package, to ſee if the goods are right entered and endorſed on the cocket; and if on ſuch examination the ſame ſhall be found to be right entered and endorſed, the officer ſhall at his own charge cauſe the ſame to bere packed; which charge ſhall be allowed to the ſaid officer by the commiſſioners of the revenue, if they think it reaſonable.

Officer after entry may open and examine any package,

and if right entered and indorſed, repack,

and allowed the charge.

XIII. And

A. D. 1779-80. Chap. 33.

If linen entered for export as intitled to bounty, appear above 1s. 7½d. *per* yard,

or diaper, &c. above 1s. 7½d. the ſquare yard,

exporter ſhall deliver ſo many pieces as demanded by ſurveyor, into the king's warehouſe.

upon delivery, the ſurveyor with collector's privity ſhall out of any duties pay exporter 1s. 8½d. *per* yard in full ſatisfaction as if regularly ſold,

ſaid goods ſold by commiſſioners to beſt advantage,

the collector repaid,

one moiety of overplus to government,

the other to officers examining.

XIII. And be it further enacted by the authority aforeſaid, that if upon view and examination by the proper officers of the revenue it ſhall appear, that all or any piece or pieces of linen or chequed or ſtriped linen, which ſhall be entered for exportation as entitled to the bounty hereby granted, is or are of greater value than one ſhilling and ſeven pence halfpenny *per* yard, or that any piece or pieces of diaper, huckaback, ſheeting, or other ſpecies of linen upwards of one yard in breadth, which ſhall be entered for exportation as entitled to the bounty hereby granted, is or are of greater value than one ſhilling and ſeven pence halfpenny the ſquare yard, that then and in every ſuch caſe the exporter or ſeller of ſuch linen for exportation ſhall on demand made in writing by the ſurveyor of the port, where ſuch goods or merchandizes are entered, deliver or cauſe to be delivered ſo many pieces of ſuch linen, as ſhall be demanded by the ſaid officer, into his Majeſty's warehouſe at the port of exportation for the uſe and benefit of the crown; and upon ſuch delivery the ſurveyor of ſuch port with the privity of the collector or other chief officer ſhall out of any money in the hands of ſuch collector ariſing by any duties belonging to the crown pay to ſuch exporter or ſeller for exportation the value of one ſhilling and eight pence halfpenny *per* yard, taking a receipt for the ſame from ſuch exporter or ſeller for exportation, in full ſatisfaction for the ſaid goods as if they had been regularly ſold; and the commiſſioners of the revenue ſhall cauſe the ſaid goods to be fairly and publickly ſold for the beſt advantage, and out of the produce thereof the money ſo paid or advanced as aforeſaid ſhall be repaid to ſuch collector to be replaced to the revenue; and if any overplus ſhall remain after defraying the expences of ſuch ſale and the neceſſary charges incident thereto, one moiety of ſuch overplus ſhall be paid into his Majeſty's treaſury towards defraying the expences of his Majeſty's government, and the other moiety to the proper officers who ſhall have ſearched and examined ſuch linens.

XIV. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall enter for exportation any linen at any value, not exceeding the value of one ſhilling and ſeven pence halfpenny *per* yard, or any diaper, huckaback, ſheeting, or other linen upwards of one yard in breadth, at any time not exceeding one ſhilling and ſeven pence halfpenny *per* ſquare yard, and which upon the view and examination of the proper officer of the revenue ſhall be thought to be of greater value than one ſhilling and ſeven pence halfpenny *per* yard or ſquare yard reſpectively,

tively, and ſhall on demand made in writing by the ſurveyor or other officer of the port, where ſuch linen is entered for exportation, refuſe to deliver or cauſe to be delivered all or any of the pieces of ſuch linen, diaper, huckaback, or ſheeting into his Majeſty's warehouſe at ſuch port for the uſe and benefit of the crown, and to receive from the ſaid officers of the revenue at the ſaid port the value of one ſhilling and eight pence halfpenny *per* yard or ſquare yard reſpectively for ſuch linen in full ſatisfaction for the ſame; or if the proper officers of the revenue ſhall upon view and examination find any ſuch linen, which ſhall be entered for exportation, at the value of ſix pence halfpenny *per* yard, or above that value not exceeding one ſhilling and ſeven pence halfpenny *per* yard, to be under the value of ſix pence halfpenny *per* yard, or which ſhall be entered at the value of five pence *per* yard, or above that value, and not amounting to the value of ſix pence halfpenny *per* yard, to be under the value of five pence *per* yard, or if any ſuch linen ſhall be leſs in quantity, than ſhall be expreſſed in the ſaid indorſement on the ſaid entry or cocket, or ſhall not be of the breadth of twenty five inches at the leaſt, or of the breadth of one yard, if ſo entered, or if the ſame ſhall be entered and indorſed under a wrong denomination, whereby the ſaid bounty or any part thereof would have been fraudulently obtained, that then and in every ſuch caſe all ſuch linen, which ſhall be ſo refuſed to be delivered, or that ſhall be under the value of ſix pence halfpenny *per* yard, or five pence *per* yard reſpectively, or ſhall appear to be leſs in quantity than expreſſed in ſuch indorſement, or be under the breadth of twenty five inches or one yard reſpectively, or entered and endorſed under a wrong denomination, and alſo all the goods contained in all and every the package or packages endorſed on the ſaid entry or cocket, ſhall be forfeited and loſt, and ſhall and may be ſeized by any officer or officers of the revenue, and the owner or merchant ſhall loſe the benefit of receiving the bounty for ſuch goods.

All ſuch linen refuſed to be delivered into the king's warehouſe,

or linen entered for export, found to be under the value of 6½d. or 5d. *per* yard reſpectively;

or leſs in quantity than in indorſement,

or under breadth of 25 inches, or 1 yard,

or under wrong denomination,

forfeited, ſeized by any officer, and no bounty.

XV. And be it further enacted by the authority aforeſaid, that if any Iriſh linen, diaper, huckaback, ſheeting, or ſail cloth, or canvas, for which the bounty ſhall have been given or claimed, ſhall be relanded in Great Britain, Ireland, or the Iſle of Man, the ſame ſhall be forfeited; and every perſon concerned in bringing back or relanding the ſame, ſhall forfeit one ſhilling for every yard or ſquare yard of ſuch linen reſpectively, and two ſhillings for every ell of ſuch ſail cloth or canvas ſo brought back or relanded.

If relanded in *G. Britain*, *Ireland*, or *Man*, forfeited,

and 1*s.* every yard or ſquare yard of linen,

2*s. per* ell of ſail cloth or canvas.

A. D. 1779-80. Chap. 33.

From 24 *June* 1780 to 25 *Dec.* 1781 an additional impoſt at 5 *per cent.* on produce of cuſtoms inwards and import exciſe, on any goods imported,

except tobacco, hops, ſugars, and product of the colonies, or *African* ſettlements, whereon duties impoſed or altered this ſeſſion,

ſaid duty after all uſual diſcounts and allowances,

applied to ſaid bounties,

if not ſufficient, ſuch part of duties on teas by 19 & 20 *G.* 3. c. 7. to be paid to truſtees to be applied as by parliament directed, not exceeding 10500l. ſhall be applied towards ſaid bounties.

XVI. And in order to provide towards the payment of ſaid bounties on linens and other goods exported be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and eighty until the twenty fifth day of December one thouſand ſeven hundred and eighty one there ſhall be raiſed, levied, collected, and paid to your Majeſty, your heirs and ſucceſſors, an additional impoſt or duty after the rate of five pounds *per centum* on the produce and amount of the cuſtoms inwards and import exciſe, which ſhall be due and payable to his Majeſty, his heirs and ſucceſſors, during the time aforeſaid, and which ſhall be collected in this kingdom for and upon any goods or merchandizes imported into the ſame, except upon tobacco, hops, ſugars, and the ſeveral goods and merchandizes of the product or manufacture of the Britiſh colonies in America, or the Weſt Indies, or the Britiſh ſettlements on the coaſt of Africa, whereon any duties are impoſed or altered this ſeſſion of parliament; the ſaid additional impoſt or duty to be paid upon the amount of the ſaid cuſtoms and import exciſe, after all uſual diſcounts and allowances ſhall have been made therefrom; and that the monies ariſing therefrom ſhall be applied towards payment of the ſaid bounties; and that if the ſaid monies ſhall not be ſufficient to anſwer the ſame, that ſuch part of the produce of the duties upon teas, as is provided by an act paſſed this ſeſſion of parliament, intitled, *An act for granting unto his Majeſty an additional duty on beer, ale, wine, tobacco, hides, and other goods and merchandizes therein mentioned, and for prohibiting the importation of all gold and ſilver lace, and of all cambricks and lawns, except of the manufacture of Great Britain, and of all hops except of the growth of Great Britain and the Britiſh plantations*, to be paid to the ſaid truſtees, to be by them applied in ſuch manner as ſhall be directed by parliament, not exceeding ten thouſand five hundred pounds in the whole, during ſaid time, ſhall be applied towards payment of the ſaid bounties; any thing in the ſaid act to the contrary notwithſtanding.

Said bounties paid on demand without fee by collector where goods ſhipped out of ſaid monies and tea duty,

ſurplus of tea duties, or the whole if

XVII. And be it enacted by the authority aforeſaid, that the ſaid bounties ſhall be paid on demand without fee or reward to the exporter or ſeller for exportation, ſubject to the ſeveral regulations herein contained, by the collector of the port, where ſuch goods ſhall be ſhipped, out of the ſaid monies, and the ſaid part of the produce of the duties upon teas; and that the ſurplus of the ſaid part of the duties on teas, provided by ſaid act to be paid to the ſaid truſtees, after deducting thereout ſo much thereof as

aforeſaid,

aforeſaid as ſhall or may be applied towards payment of the ſaid bounties, or the whole thereof ſo provided to be paid to them by the ſaid act, if no part thereof ſhall be ſo applied towards payment of the ſaid bounties, together with the ſurplus or reſidue of all money ariſing from the ſaid additional impoſt or duty after payment of all the ſaid bounties, ſhall be paid to the ſaid truſtees for the encouragement of the linen and hempen manufactures, to be applied in ſuch manner as they ſhall think proper.

none ſo applied, with reſidue of additional impoſt after ſaid bounties, paid to ſaid truſtees, applied as they think proper.

XVIII. And be it further enacted by the authority aforeſaid, that all and every the ſeveral and reſpective duties and rates hereby granted, ſhall be raiſed, anſwered, collected, and paid unto his Majeſty, his heirs and ſucceſſors, during the time aforeſaid, at the ſame time, and in like manner, and by ſuch ways, means, and methods, and by ſuch rules and directions, and under ſuch penalties and forfeitures, and with ſuch powers, as are appointed, directed, and expreſſed in and by the ſaid act, made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the ſecond, intitled, *An act for the ſettling of the exciſe and new impoſt upon his Majeſty, his heirs and ſucceſſors, according to the book of rates therein inſerted*, or by any other law now in force relative to the revenue of exciſe in this kingdom, as fully and effectually to all intents and purpoſes as if the ſame were particularly mentioned, ſpecified, and enacted in the body of this preſent act, with like remedy of appeal to and for the party grieved as in and by the ſaid act of exciſe, or any other law or laws now in being relating to the duty of exciſe, is provided.

ſaid duties raiſed and paid as by 14 & 15 *C.* 2. c. 8. or other exciſe law,

with like appeal,

XIX. And be it further enacted by the authority aforeſaid, that neither the ſix pence *per* pound nor any other fee ſhall be payable to, nor be deducted or received by, the vice treaſurer or vice treaſurers, receiver or paymaſter general, clerk of the pells, or any other officer or officers of this kingdom, for or on account of the iſſuing or payment of any ſum or ſums of money ariſing by, or which ſhall be received for or on account of, the aids hereby granted to his Majeſty, or of any payment to be made in purſuance hereof.

No fees to officers on account of payments under this act.

CHAP.

A. D. 1779-80.

CHAP. XXXIV.

An act to continue and amend an act passed in the seventeenth and eighteenth years of the reign of his present Majesty, intitled, *An act for the encouragement of tillage, and rendering the carriage of corn to the city of Dublin less expensive.*

17 & 18 G. 3. c. 34. beneficial,

WHEREAS an act passed in the seventeenth and eighteenth years of the reign of his present Majesty, entituled, *An act for the encouragement of tillage, and rendering the carriage of corn to the city of Dublin less expensive*, hath been found beneficial to this kingdom: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that all and every person or persons, who shall from and after the passing of this act import any sound merchantable wheat, oats, oatmeal, bere or barley, beans, pease, flour of wheat, or malt made of bere, or barley, of the growth and produce of this kingdom, by water coastways to the city of Dublin from any port or place to the southward of Dublin, not nearer than Wicklow nor further therefrom than the Tuscar, or from any port or place to the northward of Dublin, not nearer thereto than Drogheda nor further therefrom than Carrickfergus, and shall sell and discharge the same at the publick markets or places, where corn or malt is usually sold in Dublin, shall upon performing the several requisites herein expressed receive the sum of four pence *per* hundred weight for each and every hundred weight of such wheat, oats, oatmeal, bere, barley, beans, or pease, and the sum of twelve pence *per* hundred weight for each and every hundred weight of flour of wheat, and the sum of twelve pence *per* hundred weight for each and every hundred weight of malt made of bere and barley imported or brought into Dublin as aforesaid.

importers of wheat, &c. *Irish* product, by water coastways to *Dublin*, not nearer south than *Wicklow* nor further than the *Tuscar*, nor nearer north than *Drogheda* nor further than *Carrickfergus*, and who sell at publick market for corn or malt, in *Dublin*, shall on performing requisites receive 4d. *per* 100wt. of wheat, &c. 12d. *per* 100wt. of flour of wheat, and malt of bere or barley.

II. And be it further enacted by the authority aforesaid, that all and every person and persons, who shall from and after the passing this act import or bring any such sound merchantable wheat, oats, oatmeal, bere, barley, beans, peas, flour of wheat, or malt made of bere or barley, of the growth and produce of this kingdom by water coastways to the city of Dublin from any port or place southward of the Tuscar, and not further therefrom than Cape Clear, or from any port or place to the northward or westward of Carrickfergus, and not further

From south of *Tuscar* and not further than *Cape Clear*, or north or west of *Carrickfergus*, and not further than *Deonaff Head*

therefrom than Doonaff head in the county of Donegall, and ſhall ſell and diſcharge the ſame in the publick markets or places, where ſuch grain or flour is uſually ſold in Dublin, ſhall in like manner upon performing the ſeveral requiſites herein expreſſed receive the ſum of five pence *per* hundred weight for each and every hundred weight of ſuch wheat, oats, oatmeal, bere, barley, beans, or peas, as alſo the ſum of fourteen pence *per* hundred weight for each and every hundred weight of malt made of bere or barley, as alſo the ſum of fourteen pence *per* hundred weight for each and every hundred weight of flour of wheat imported or brought into Dublin as aforeſaid.

in *Donegall* 5d. *per* 100wt. of ſuch grain, and 14d. *per* 100wt. of ſuch malt, and flour of wheat.

III. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons, who ſhall from and after the paſſing this act import or bring any ſuch ſound or merchantable grain, meal, malt, or flour of the growth and produce of this kingdom by water coaſtways to the city of Dublin from any port or place to the weſtern coaſt of this kingdom between Cape Clear in the county of Cork and Doonaff Head in the county of Donegall, and ſhall ſell and diſcharge the ſame in the publick markets or places, where ſuch grain, meal, malt, or flour are uſually ſold in Dublin, ſhall in like manner upon performing the ſeveral requiſites herein expreſſed receive the ſum of ten pence *per* hundred weight for each and every hundred weight of ſuch wheat, oats, oatmeal, bere, barley, beans, or peas; as alſo the ſum of eighteen pence *per* hundred weight for each and every hundred weight of malt made of bere and barley, as alſo the ſum of eighteen pence *per* hundred weight for each and every hundred weight of flour of wheat imported or brought into Dublin as aforeſaid.

From between *Cape Clear* and *Doonaff Head* 10d. *per* 100wt. of ſuch grain, 18d. *per* 100wt. of ſuch malt and flour of wheat.

IV. And whereas a very conſiderable trouble and expence is impoſed upon the collector of Dublin port by the ſaid act in comparing and certifying the original certificates, affidavits, and returns with the copies tranſmitted to him, in taking affidavits of maſters and factors, and paying bounties, employing clerks, and keeping accounts of ſuch payments in the manner directed by the ſaid act: in conſideration of which be it enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, the collector of Dublin port for the time being ſhall and may deduct for his own uſe from the perſon or perſons, ſo entitled to ſaid bounty

Dublin collector may deduct 6d. *per* £. paid in bounties,

his deputy may take affidavits and oaths by ſaid act.

A. D. 1779-80.

or bounties, at the rate of ſix pence out of every pound ſterling, paid by him in bounty for wheat, beans, peas, oats, bere, barley, or flour of wheat, malt or oatmeal, brought coaſtways to the city of Dublin, and that in his abſence his deputy may adminiſter the ſeveral oaths and take the affidavits preſcribed by the ſaid act.

Magiſtrate ſhall not certify for ſuch malt, unleſs affidavit alſo of properly manufactured, ſcreened and cleaned, and every 12 ſtone 32 gallons *Wincheſter*.

V. Provided always, That the magiſtrate ſhall not certify for any ſuch malt, unleſs the perſon making the affidavit, required for entitling the owner to ſuch premium, ſhall alſo ſwear, that the ſaid malt is properly manufactured, well ſcreened and cleaned, and that every twelve ſtone thereof meaſures thirty two gallons Wincheſter meaſure at the leaſt.

Said act may be continued to 24 *June* 1784, and to end of then next ſeſſion.

VI. And be it enacted by the authority aforeſaid, That the ſaid act may be continued to the twenty fourth day of June one thouſand ſeven hundred and eighty four, and to the end of the then next ſeſſion of Parliament.

CHAP. XXXV.

An Act for regulating the Sugar Trade, and granting to His Majeſty, His Heirs and Succeſſors, the Duties therein mentioned.

Expired 25 December, 1781.

WE your Majeſty's moſt dutiful and loyal ſubjects the commons of Ireland, in Parliament aſſembled, as a further ſupply to your Majeſty to ſupport the expences of your Majeſty's government and with a grateful ſenſe of the large and commercial benefits to ariſe from an open and direct intercourſe with the ſugar colonies of Great Britain, do moſt humbly beſeech your Majeſty, that it may be enacted, and be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty fourth day of June, one thouſand ſeven hundred and eighty, until the twenty fifth day of December, one thouſand ſeven hundred and eighty one incluſive, and no longer, there ſhall be raiſed, levied, collected, and paid unto your Majeſty, your heirs and ſucceſſors, the ſeveral rates and duties herein after mentioned; that is to ſay, an additional duty for and upon all brown or Muſcovado ſugars, being of the growth or produce of the Britiſh plantations in America or the Weſt Indies, after the rate of ſixteen pounds one ſhilling and eleven pence and fifteen twentieth parts of a penny for every one hundred pounds value thereof, as the ſame is rated for cuſtom in this kingdom, which ſhall be imported during the time aforeſaid from any of the ſaid places by any of his Majeſty's

ſubjects;

ſubjects; or if the ſame be imported from any of the places aforeſaid by merchants ſtrangers during the time aforeſaid, then an additional duty after the rate of twelve pounds fifteen ſhillings and five pence for the like quantity, and ſo in proportion for a greater or leſs quantity; an additional duty for and upon all white ſugars of the growth, produce, or manufacture of any of the ſaid places, after the rate of fourteen pounds ten ſhillings and ſeven pence and fifteen twentieth parts of a penny for every one hundred pounds value thereof, as the ſame is rated for cuſtom in this kingdom, which ſhall be imported during the time aforeſaid from any of the ſaid places or from Great Britain by any of his Majeſty's ſubjects, or if the ſame be imported from any of the ſaid places or from Great Britain by any merchant ſtranger, then an additional duty after the rate of eleven pounds four ſhillings and one penny for the like quantity, and ſo in proportion for any greater or leſs quantity; an additional duty for and upon all brown or Muſcovado ſugars of the growth, produce, or manufacture of any of the ſaid places, which ſhall be imported from Great Britain into this kingdom during the time aforeſaid by any perſon, native or ſtranger, of five ſhillings and ſix pence ten twentieth parts of one penny and one eighth part of a twentieth for every one hundred and twelve ſuttle pounds weight thereof, and ſo in proportion for any greater or leſs quantity; an additional duty for and upon all refined ſugars in loaves, not being baſtards, and on all candy, which ſhall be imported from Great Britain during the time aforeſaid, being of the manufacture of Great Britain, after the rate of nine ſhillings and two pence ten twelfths of a penny for every one hundred and twelve ſuttle pounds weight thereof, and ſo in proportion for any greater or leſs quantity; an additional duty for and upon all refined ſugars called baſtards, and all ground and powdered refined ſugars, and all refined loaf broke in pieces, which ſhall be imported from Great Britain, after the rate of five ſhillings and ſix pence halfpenny for every hundred and twelve ſuttle pounds weight, and ſo in proportion for any greater or leſs quantity; an additional duty for and upon all brown or Muſcovado ſugars, not being of the growth or produce of the Britiſh plantations in America or the Weſt Indies, which ſhall be imported during the time aforeſaid, after the rate of ſeventeen ſhillings and eighteen twentieth parts of a penny for every one hundred and twelve ſuttle pounds weight thereof; an additional duty for and upon all white ſugar not being of the growth, produce, or manufacture of any of the ſaid places, or of Great Britain, after the rate of nineteen ſhillings and eight pence nine twentieth parts of a

A. D. 1779-80. Chap. 35.

a penny and one fifth part of a twentieth for every one hundred and twelve ſuttle pounds weight thereof, and ſo in proportion for any greater or leſs quantity.

II. And be it further enacted by the authority aforeſaid, That there ſhall be raiſed, levied, and paid for and upon all refined ſugars of the growth, produce, or manufacture of any of the Britiſh colonies in America or the Weſt Indies, which ſhall be imported from thence into this kingdom during the time aforeſaid by any merchant or merchants, his Majeſty's ſubjects, a duty after the rate of twenty three pounds nineteen ſhillings and ſeven pence fifteen twentieth parts of a penny for every five hundred pounds and fifteen ſeventeenth parts of a hundred pounds weight, each hundred containing one hundred and twelve ſuttle pounds, or if the ſame be imported from thence by any merchants ſtrangers, then a duty after the rate of twenty five pounds eight ſhillings and one penny for the like quantity, and ſo in proportion for any greater or leſs quantity; and a duty for and upon all refined ſugar, not being of the growth, produce, and manufacture of the Britiſh plantations in America, or the Weſt Indies, or of the manufacture of Great Britain, which ſhall be imported during the time aforeſaid, after the rate of four pounds ten ſhillings and five pence for each hundred and twelve ſuttle pounds weight thereof, and ſo in proportion for any greater or leſs quantity; which ſaid laſt mentioned duties of twenty three pounds nineteen ſhillings and ſeven pence fifteen twentieth parts of a penny, twenty five pounds eight ſhillings and one penny and four pounds ten ſhillings and five pence are to be in lieu and full ſatisfaction of all duties, cuſtoms, and ſubſidies payable on the import of the ſaid ſeveral articles reſpectively by any act or acts of Parliament heretofore made in this kingdom.

III. And be it enacted by the authority aforeſaid, That all drawbacks or allowances now given by law on the exportation of brown or Muſcovado ſugars, white ſugars, and refined ſugars, ſhall from the paſſing of this act ceaſe and be no longer payable; and that in lieu of the ſaid drawbacks on refined ſugars, and for the encouragement of refining ſugars in Ireland, a bounty ſhall be allowed and paid upon all refined ſugars, which ſhall be exported from this kingdom during the time aforeſaid, after the rate of fifteen ſhillings and eight pence half-penny for every one hundred and twelve ſuttle pounds weight of ſuch refined ſugars exported in the loaf complete and whole, being net, that is to

ſay of one uniform whiteneſs throughout, and which hath gone through the operation of two or more clays, ſince it was laſt in the pan, and hath been properly and thoroughly dried in the ſtove, according to the preſent practice of refining; and after the rate of ſix ſhillings and ten pence and one third of a penny for every one hundred and twelve ſuttle pounds weight of ſuch refined ſugar, called baſtard, and of all ground and powdered refined ſugar, and all refined loaf ſugar broke in pieces, the ſaid ſugar having been twice clayed and properly dried in the ſtove, and of all candy properly refined and manufactured, and free from dirt and ſcum, which ſhall be exported during the time aforeſaid.

IV. Provided always, That if any of the ſaid refined ſugars being either in ſmall or great loaves, commonly called lumps, ſhall have gone through the operation of three clays at the leaſt, ſince they were laſt in the pan, and ſhall be net, and ſhall have been thoroughly dried in the ſtove in the manner herein before directed, though ſuch loaves be exported without the ſmall ends or tips, they ſhall be eſteemed compleat and whole within the true intent and meaning of this act, and the exporter of the ſame ſhall receive the drawback or bounty accordingly.

V. And be it enacted by the authority aforeſaid, That all duties, ſubſidies, and cuſtoms whatſoever, paid on the import of Muſcovado or brown ſugars, the growth or produce of the Britiſh plantations in America or the Weſt Indies, be allowed and drawn back on their export within one year; and that on the export of ſuch as ſhall be imported after the twenty fourth day of June one thouſand ſeven hundred and eighty at any time after one year and within three years, the ſum of twenty one pounds eight ſhillings and two pence and five twentieth parts of a penny, and no more, be drawn back for every one hundred pounds value thereof, as the ſame is rated for cuſtom inwards, in lieu of all drawbacks now allowed by law thereon, and ſo in proportion for any greater or leſs quantity.

VI. And be it further enacted by the authority aforeſaid, That if the proper officer or officers of your Majeſty's revenue ſhall upon view and examination either before or after ſhipping find any ſugar or candy, which ſhall be entered for exportation in order to obtain the bounties or drawbacks thereon, to be leſs in quantity than expreſſed in the exporter's indorſement, or entered under a wrong denomination, or if ſuch ſugars ſhall not be reſpectively refined in the manner before directed, or if ſuch candy ſhall not be properly refined and manufactured, and free

A. D. 1779-80. Chap. 35.

from dirt and ſcum, all ſuch ſugar or candy ſhall be forfeited, and ſhall and may be ſeized by any officer or officers of the revenue, and proſecuted according to law.

VII. And be it further enacted by the authority aforeſaid, That before any drawback or bounty is paid for any of the ſugars or candy, being of the manufacture of this kingdom, herein before mentioned, or any debenture made out for the ſame, the refiner or refiners, not being the exporter or exporters of ſuch ſugar or candy, ſhall make oath before the collector or other proper officer of the port, that he or they ſold ſuch ſugars or candy, expreſſing the quantity and the time when, to the perſon or perſons intending to export the ſame, and that ſuch ſugars have reſpectively gone through the operations herein before expreſſed, and have been properly and thoroughly dried in the ſtoves, or that ſuch candy has been properly refined and manufactured according to the true intent and meaning of this act, and as he or they verily believe, ſuch ſugar or candy was produced from brown or Muſcovado ſugar of the growth or produce of his Majeſty's plantations in America, and imported from thence or from Great Britain, and that the ſeveral duties payable thereon were duly paid at the time of importing the ſame; and the exporter and exporters of ſuch ſugars or candy ſhall then make oath, that ſuch ſugars or candy, being the ſugars or candy for which ſuch bounty or drawback is then claimed, are the identical ſugars or candy, or part thereof, which were ſold to him as aforeſaid by ſuch refiner or refiners; and before the money due upon ſuch debenture or debentures ſhall be paid, ſuch exporter or exporters ſhall alſo make oath, that the ſaid ſugars or candy have been duly exported, his Majeſty's ſearcher alſo certifying the ſhipping thereof, and all other requiſites duly performed; and whenever the refiner or refiners of ſuch ſugar or candy ſhall be the exporter or exporters thereof, he or they ſhall then make oath as well of the due exportation of the ſame, as of the ſeveral particulars herein before directed to be ſworn to by him or them, (excepting what relates to the ſale of the ſaid ſugars or candy) according to the true intent and meaning of this act.

VIII. And be it enacted by the authority aforeſaid, That upon the arrival of any ſhip or veſſel from any of the Britiſh plantations in America or the Weſt Indies with ſugars or paneles on board into the port of her diſcharge in this kingdom the maſter or other perſon taking charge of the ſhip or veſſel, ſhall, at the time he makes his report of his cargo, deliver ſuch certificate, as is uſually given or required to be given by the maſter of ſuch ſhip loading in and to ſail from any of ſaid

colonies,

colonies to Great Britain to the collector or other chief officer of the revenue, and make oath before him, that the goods ſo reported are the ſame, that are mentioned in the ſaid certificate, on forfeiture of one hundred pounds; and that all ſugars and paneles imported without ſuch certificate ſhall be conſidered, deemed, and taken to be foreign ſugar and paneles, not of the growth, product, or manufacture of the Britiſh colonies, or Great Britain, and ſhall pay duty accordingly.

IX. And be it further enacted by the authority aforeſaid, That all clayed ſugar ſhall be deemed to be, and be taken and conſidered as, Muſcovado ſugar within the meaning of this act, and ſhall pay duty and receive drawback as ſuch.

X. Provided always, That if any ſugar or paneles ſhall be imported into this kingdom from any Britiſh colony or plantation in America or Great Britain without being included in ſuch certificate, as is herein before directed, and that it ſhall appear to the ſatisfaction of the commiſſioners of his Majeſty's revenue, that the ſaid ſugars or paneles are really and truly the produce, growth, or manufacture of ſuch Britiſh plantation or colony of Great Britain, and that no fraud was intended, it ſhall and may be lawful for the ſaid commiſſioners to permit the ſaid ſugars or paneles to be entered upon payment of the like duties, as ſuch goods would be liable to, if they were attended with and included in the certificate herein before mentioned.

XI. And be it further enacted by the authority aforeſaid, That an additional duty ſhall be raiſed, levied, and paid to your Majeſty, your heirs and ſucceſſors, on all paneles of the growth or product of the Britiſh plantations in America or the Weſt Indies, which ſhall be imported into this kingdom during the time aforeſaid, by any of his Majeſty's ſubjects, after the rate of twenty four pounds and eight pence one farthing for every fifty hundred weight thereof, each hundred containing one hundred and twelve ſuttle pounds; and if the ſame be imported by any merchant ſtranger, then after the rate of twenty three pounds one ſhilling and ſeven pence halfpenny for the like quantity, and ſo in proportion for any greater or leſs quantity.

XII. And be it further enacted by the authority aforeſaid, That all the ſaid ſeveral duties and additional duties ſhall be paid net without any allowance or diſcount for prompt payment; and that no paneles, except of the growth or produce of the Britiſh ſugar colonies, ſhall be imported into this kingdom during the time aforeſaid.

A. D. 1779-80. Chap. 35.

XIII. And be it further enacted by the authority aforesaid, That all and singular the said duties, rates, and impositions, hereby granted, shall be raised, answered, collected, and paid unto his Majesty, his heirs and successors, during the term aforesaid, at the same time, in like manner, except as to bonding the same, or any discount for prompt payment, and by such ways, means, and methods, and by such rules and directions, and under such penalties and forfeitures, and with such powers, as are appointed, directed, and expressed, for the raising, answering, collecting, and paying of duties, in and by an act made in this kingdom in the fourteenth and fifteenth years of the reign of King Charles the second, entitled, *An act for the settling of the excise or new impost upon his Majesty, his heirs and successors, according to the book of rates therein inserted*, or by any other law now in force relating to the revenue of excise in this kingdom, as fully and effectually to all intents and purposes as if the same were particularly mentioned, expressed, and enacted again in the body of this present act; with like remedy of appeal to and for the party aggrieved, as in and by the said act of excise, or any other law or laws now in being relating to the duties of excise, is provided.

XIV. And be it further enacted by the authority aforesaid, That the six pence *per* pound, and all other fees which shall or may be payable to the vice-treasurer or vice-treasurers, paymaster or receiver general of this kingdom, upon issuing or payment of any sum or sums which shall or may arise out of the aids herein before particularly mentioned, shall be received by the said vice-treasurer or vice-treasurers, receiver, or paymaster general, for the use of his Majesty, his heirs and successors, during the time aforesaid, and shall be duly accounted for by him or them to his Majesty, his heirs and successors, as a further additional aid hereby given and granted for the further support of his Majesty's government.

CHAP.

A. D. 1779-80.

CHAP. XXXVI.

An act for regulating the curing and preparing provisions, and for preventing combinations among the several tradesmen and other persons employed in making up such provisions; and for regulating the butter trade in the city of Dublin, *and for other purposes therein mentioned.*

WHEREAS notwithstanding the laws now in force in this kingdom several unlawful combinations are kept up by and amongst the workmen and other persons employed in and about the slaughtering, curing, and coopering provisions in the county of the city of Dublin, the liberties thereunto adjoining, and county of Dublin, by means whereof merchants and other persons, who have taken publick contracts for the supplying his Majesty's forces by sea and land, as well as other persons engaged in the said trade, have often found it impracticable to fulfil the terms of the said contracts, or to carry on their respective trades and occupations, to the great detriment of the landed and commercial interests of this kingdom: for remedy whereof be it enacted by the king's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, that from and after the tenth day of August in the year one thousand seven hundred and eighty if any person or persons not lawfully authorized shall summon, or cause to be summoned by writing or otherwise any butcher, cooper, salter, journeyman, apprentice, or labourer, or any other person or persons usually employed in any branch of the said provision trade carried on within the county of the city of Dublin, or the liberties thereunto adjoining, or county of Dublin, to appear at any meeting or assembly in order to consult upon or enter into any rule, agreement, association, or combination to ascertain or fix the price of labour or workmanship, or to make any rule, order, or regulation in any wise respecting any branch of the provision trade, or the person or persons employed, or to be employed therein, or shall administer or cause to be administered any oath or declaration to any such butcher, cooper, salter, journeyman, apprentice, or labourer, tending to fix the price or wages of labour or workmanship, or to fix upon or make any rule, order, agreement, or regulation whatsoever respecting any branch of such trade or the person or persons employed therein, or shall issue or cause to be issued, deliver or cause

Unlawfully summoning persons in provision trade in *Dublin*, county or city, to meeting to make any rule to fix price of labour, or to regulate any branch or persons employed,

or administer oath or declaration,

A. D. 1779-80. Chap. 36.

cauſe to be delivered, any menace, meſſage, ticket, certificate, or token, other than and except ſuch ticket or certificate as ſhall or may be delivered by or by the order of the corporation, whereof ſuch butcher, cooper, ſalter, journeyman, apprentice, or labourer, of his being licenſed to act or work at his or their reſpective trade or trades, or ſhall make or join in making any rule, order, or agreement or regulation, relating to the prices or wages of labour or workmanſhip, or in any particular relating to any part or branch of the ſaid proviſion trade, or ſhall deliver or cauſe to be delivered to any perſon whatſoever any menace, meſſage, ticket, token, printed advertiſement, or writing, containing any rules, regulations, or agreements, or rule, regulation, or agreement entered into or to be entered into by any butcher, cooper, ſalter, journeyman, apprentice or labourer, touching or concerning any branch of the ſaid trade, or ſhall by force, menaces, or otherwiſe hinder or attempt to hinder any ſuch ſeller, buyer, butcher, cooper, ſalter, journeyman, apprentice, or labourer from acting or working at his or their reſpective trade or trades, occupation or occupations, at ſuch price or prices as ſhall be aſcertained in ſuch manner, as is herein after ſet forth, with his or their reſpective employers or maſters, or at ſuch particular work, and to and for ſuch hours in the day as are herein after mentioned for people employed in that trade to work, as ſuch employers or maſters ſhall direct in their reſpective trades or occupations, (upon information thereof on oath given to the lord mayor, or any one alderman or magiſtrate for the ſaid city, county of the ſaid city, or liberties thereunto adjoining, or county of Dublin, within their reſpective juriſdictions) it ſhall and may be lawful for the ſaid lord mayor, or ſuch one alderman or magiſtrate reſpectively, within his juriſdiction to iſſue his warrant under his hand and ſeal to apprehend the perſon or perſons, charged with all or any of the aforeſaid offences; and every ſuch perſon being thereof convicted in a ſummary way before the ſaid lord mayor and any alderman of the county of the ſaid city, or before any two juſtices of the peace for the ſaid county of Dublin, within their reſpective juriſdiction, (upon the oath of one or more credible witneſs, which they are hereby empowered and required to adminiſter) or by the confeſſion of the perſon charged with ſuch offence, it ſhall and may be lawful to and for the ſaid lord mayor and alderman, or for ſuch two juſtices of the peace reſpectively within their juriſdiction, by warrant under their hands and ſeals to commit the perſon or perſons

or deliver menace, meſſage, or token (except ticket of licence by order of the corporation) or join in making ſuch regulation,

or deliver menace, meſſage, &c. containing any ſuch,

or attempt to hinder working at prices aſcertained, or at ſuch particular work or hours,

lord mayor or 1 alderman may on oath iſſue warrant to apprehend,

on conviction on oath before lord mayor and any alderman, or before 2 juſtices for the county, impriſoned not above 2 months,

persons so convicted to goal, there to be kept without bail or mainprize for any time not exceeding two months.

Before discharge, recognisance for peace and good behaviour 1 year.

II. And be it enacted by the authority aforesaid, that all and every such person or persons, as shall be confined as aforesaid, shall, before he or they shall be discharged from such confinement, enter into and be bound in a recognizance in a sum not exceeding ten pounds before the said lord mayor or any one alderman or magistrate of the county of the said city or county of Dublin, before whom such person or persons shall have been convicted within his respective jurisdiction, for his or their being of the peace and good behaviour to all his Majesty's subjects for any term not exceeding one year.

Taking oath to combine or agree to fix wages, &c. or regulate the trade,

or under any pretence not to work for particular employer in provision trade,

on like conviction summarily imprisoned not above 3 months,

III. And be it further enacted by the authority aforesaid, that if any such butcher, cooper, salter, journeyman, apprentice, or labourer as aforesaid shall take an oath or enter into any combination or agreement to ascertain or fix the price of wages, or of labour or workmanship, or to make any rule, order, agreement, or regulation concerning their respective trades, occupations, or business, or take any oath or enter into any combination or agreement under any pretence or pretences whatsoever not to work for any particular merchant or merchants, master or masters, employer or employers, in any branch of the said provision trade, upon information thereof upon oath to the said lord mayor, or any one alderman of the said city, county of the said city, or any justice of the peace of the county of Dublin within their respective jurisdictions, it shall and may be lawful to and for the said lord mayor, or such one alderman or magistrate respectively within his jurisdiction to issue his warrant under his hand and seal to apprehend the person or persons so charged with all or any of the aforesaid offences; and every such person or persons being thereof convicted in a summary way before the said lord mayor, and any one alderman of the county of the said city, or any two magistrates of the said county of Dublin, upon the oath of one or more credible witness or witnesses, which oath the said lord mayor and alderman or magistrates respectively within their jurisdiction are hereby empowered and required to administer, or by the confession of the person charged with such offence, it shall and may be lawful to and for the said lord mayor and alderman and for the said two magistrates respectively within their jurisdiction by warrant under their hands and seals to commit the person or persons so convicted to goal, there to be kept without bail or mainprize for any time not exceeding two months; and every such person or persons shall, before he or they

A. D. 1779-80. Chap. 36.

they ſhall be diſcharged from ſuch confinement, enter into and be bound in a recognizance in a ſum not exceeding ten pounds before the ſaid lord mayor or any one alderman or magiſtrate reſpectively, before whom ſuch perſon or perſons ſhall have been convicted within his juriſdiction, for his or their being of the peace and good behaviour to all his Majeſty's ſubjects for any term not exceeding three years.

and 10l. recognizance for peace and behaviour not above 3 years.

IV. And be it enacted by the authority aforeſaid, that if any ſuch butcher, cooper, ſalter, journeyman, or labourer being engaged with any merchant, maſter, or employer in any branch of the ſaid proviſion trade, ſhall after ſuch engagement, and during the time for which he ſhall be ſo engaged refuſe to work, or ſhall abſent himſelf from the ſervice of the perſon by whom he ſhall be ſo employed as aforeſaid, during the accuſtomed hours of working at ſuch trade or occupation as he ſhall be accuſtomed to be employed at, or if hired by the week, month, or year, ſhall neglect to come to work each and every day (Sundays excepted) during the ſaid term on any account or pretext whatſoever, unleſs prevented by ſickneſs or ſome other reaſonable cauſe, or ſhall hinder or prevent or cauſe to be hindered or prevented or molefted any perſon or perſons from working at any buſineſs or occupation on account of the ſaid perſons being foreigners or ſtrangers, as herein after mentioned, or ſhall not work on being required in or at any particular branch of the ſaid proviſion trade, he ſhall be ſo engaged for, and in an uſual and reaſonable manner, every ſuch perſon or perſons ſo offending, and being thereof convicted in a ſummary way before the ſaid lord mayor and any one alderman of the county of the ſaid city, or any two magiſtrates of the ſaid county of Dublin reſpectively within their juriſdiction, upon the oath of any one or more credible witneſs or witneſſes (which oath ſuch lord mayor and alderman or magiſtrate within their reſpective juriſdictions are hereby authorized and required to adminiſter) or by the confeſſion of the perſon charged with ſuch refuſal, without ſufficient cauſe upon oath, to the ſatisfaction of ſuch lord mayor and alderman or magiſtrate for ſuch refuſal, it ſhall be lawful for ſuch lord mayor and alderman or magiſtrate within their reſpective juriſdictions by warrant under their hands and ſeals to commit the perſon or perſons ſo convicted to goal, there to be kept without bail or mainprize for any time not exceeding one month; and that all and every ſuch perſon or perſons ſhall, before he or they ſhall be diſcharged from ſuch confinement, enter into and be bound in a recognizanc in a ſum not exceeding five pounds before the ſaid

Refuſing to work during engagement or abſenting during uſual working hours, not coming daily (except *Sunday*) unleſs ſickneſs or reaſonable cauſe,

hindering others as foreigners,

refuſing to work in uſual and reaſonable manner,

on like conviction ſummarily impriſoned not above 1 month,

cauſe of refuſal on oath,

5l. recognizance for peace and behaviour 1 year.

lord mayor or any alderman or magiſtrate of the county of the ſaid city, or county of Dublin, before whom ſuch perſon or perſons ſhall have been convicted, with or without ſureties, for ſuch perſons being of the peace and good behaviour to all his Majeſty's ſubjects for any term not exceeding one year.

Seducing from employment and ſervice,

V. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall ſeduce or inveigle, or attempt to ſeduce or inveigle, any butcher, cooper, ſalter, journeyman, or labourer uſually employed in the ſaid proviſion trade, being actually engaged in the ſervice or employment of any other perſon dealing in the ſaid proviſion trade, from ſuch his employment and ſervice; or if any butcher, cooper, ſalter, journeyman, or labourer, being actually engaged in the ſervice or employment of any other perſon dealing in the ſaid proviſion trade, ſhall, before he or they ſhall have finiſhed his or their engagement, engage with any other perſon in the ſaid proviſion trade, every ſuch perſon ſo offending, and being thereof convicted in a ſummary way before the ſaid lord mayor and any one alderman of the county of the ſaid city, or any two magiſtrates of the ſaid county of Dublin, upon the oath of one or more witneſs or witneſſes (which oath the ſaid lord mayor and alderman, or magiſtrates reſpectively within their juriſdictions are hereby authorized and required to adminiſter) or by the confeſſion of the perſon charged with all or any of the ſaid offences, ſhall forfeit the ſum of ten pounds, one half to the governors of the houſe of induſtry within the ſaid city for the uſe of the ſaid houſe, and the other half to the perſon or perſons making ſuch complaint; and it ſhall be lawful for ſuch lord mayor and alderman or magiſtrates reſpectively within their juriſdictions to commit the perſon or perſons ſo convicted to goal, and there to detain his or their body or bodies in execution, until the ſaid ſum of ten pounds ſhall be fully paid to the perſons and for the uſes herein before mentioned.

or before engagement finiſhed, engaging with another,

on like conviction ſummarily forfeit 10l.

half to houſe of induſtry,

half to complainant;

and impriſoned 'till paid.

Wages aſcertained yearly at *Midſummer* general quarter ſeſſions,

VI. And whereas the yearly aſcertaining of the wages to be paid to the ſeveral butchers, coopers, ſalters, journeymen, and labourers in the county of the ſaid city and the county of Dublin will in a great meaſure tend to prevent unlawful combinations among ſuch butchers, coopers, ſalters, journeymen, and labourers, employed in the ſaid proviſion trade: therefore be it further enacted by the authority aforeſaid, that it ſhall and may be lawful for the court of general quarter ſeſſions of the peace for the county of the city of Dublin, and for the county of Dublin, within their reſpective juriſdictions, the recorder, deputy recorder, or ſuch other magiſtrate as uſually preſides thereat re-

preſident preſent,

A. D. 1779-80. Chap. 36.

ſpectively, being preſent, yearly at every Midſummer ſeſſions to aſcertain, what wages or ſum of money every butcher, cooper, ſalter, journeyman, or labourer ſhall take and be paid by the day, which is always to be deemed and conſidered to conſiſt of twelve hours, or by the certain denomination, piece, or parcel of work or job, either with or without meat and drink, during the year following; and all the ſaid butchers, coopers, ſalters, journeymen, and labourers ſhall take and receive ſuch wages and ſums of money, and no more, on pain of forfeiting any ſum of money or thing, they ſhall take over and above, one half of the ſum ſo forfeited to be paid to the governors of the houſe of induſtry in the ſaid city of Dublin for the uſe of the ſaid houſe of induſtry, and the other half to the proſecutor, and of being impriſoned, at the diſcretion of the ſaid court of general quarter ſeſſions of the peace, for any time not exceeding two months, upon conviction of the offender in a ſummary way at the ſaid court of general quarter ſeſſions of the peace, or at any adjournment thereof, by the oath of one or more witneſs or witneſſes, which oath the ſaid court is hereby authorized and required to adminiſter, or by the confeſſion of the offender.

no more taken, or forfeited,

to houſe of induſtry and proſecutor,

on conviction ſummarily on oath or confeſſion.

VII. Provided always, and be it enacted by the authority aforeſaid, that the ſaid court of general quarter ſeſſions of the peace ſhall not aſcertain the wages of ſuch butchers, coopers, ſalters, journeymen, and labourers, at a lower rate or ſum than the accuſtomed average prices uſually paid in the ſaid city of Dublin, and county of the ſaid city, or liberties thereunto adjoining, or county of Dublin, to ſuch butchers, coopers, ſalters, journeymen, and labourers reſpectively for the three years next before the aſcertaining of the ſaid wages.

Wages not aſcertained under uſual average prices 3 years before.

VIII. Provided that no juſtice of the peace, dealing in any branch of the ſaid proviſion trade, ſhall act or ſit on the bench at the times, when the wages ſhall be aſcertained as aforeſaid, upon pain of forfeiting the ſum of one hundred pounds to his Majeſty, for every time, he ſhall ſo act or ſit.

No juſtice dealing in proviſion trade, ſhall act or ſit at the time, penalty 100l.

IX. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid court of general quarter ſeſſions to ſummon and examine upon oath all ſuch perſons, as the parties intereſted produce to be examined, in order to enable ſuch court from time to time to aſcertain ſuch wages and price of labour.

Said court to ſummon and examine on oath.

X. And be it enacted by the authority aforeſaid, that every ſuch butcher, cooper, ſalter, journeyman, and labourer, from whom ſuch wages or ſums of money ſhall be withheld, ſhall be entitled

Double value of wages with held, recovered,

intitled to recover double the value thereof, to be recovered (not exceeding forty ſhillings) in a ſummary way in the court of conſcience in the ſaid city upon the oath or oaths of one or more witneſs or witneſſes, and, if above forty ſhillings by civil bill at the next court, to be held for the county of the ſaid city or county of Dublin for the trial of civil bills, from the perſon or perſons who employed them or any of them.

in court of conſcience if not above 40s. by civil bill, if above.

XI. And be it further enacted by the authority aforeſaid, that the order of the quarter ſeſſions, certified by the town clerk of the city of Dublin or clerk of the crown for the ſaid county, ſhall be concluſive evidence of the ſaid ſeveral rates and wages.

Order of ſeſſions certified, concluſive evidence of the rates.

XII. And be it further enacted by the authority aforeſaid, that in caſe any butcher, cooper, ſalter, journeyman or labourer ſhall wilfully damage, waſte, purloin, or otherwiſe injure or deſtroy the goods, materials, ſubſtance, or property of any merchant, maſter, or employer, by whom he ſhall be employed; ſuch butcher, cooper, ſalter, journeyman, or labourer, being thereof convicted in a ſummary way, before the lord mayor and any one alderman of the county of the ſaid city, or any two magiſtrates of the ſaid county of Dublin reſpectively within their reſpective juriſdictions, upon the oath of one or more credible witneſs or witneſſes, or by the confeſſion of the perſon charged with all or any of the offences aforeſaid, ſhall forfeit and pay double the value of the goods ſo damaged, waſted, purloined, or otherwiſe injured or deſtroyed, the ſame to be recovered in manner herein before mentioned; and in caſe of inability of payment in ſuch butcher, cooper, ſalter, journeyman, or labourer, it ſhall and may be lawful for the ſaid lord mayor and alderman or magiſtrates reſpectively within their juriſdictions by warrant under their hands and ſeals to commit ſuch butcher, cooper, ſalter, journeyman, or labourer to goal, there to be kept without bail or mainprize for any term not exceeding three months at the diſcretion of ſuch lord mayor, alderman, or magiſtrates reſpectively.

Injuring employer's property, double value forfeited, if unable to pay, impriſoned not above 3 months.

XIII. And be it further enacted by the authority aforeſaid, that in caſe any perſons to the number of ſeven or more ſhall riotouſly aſſemble, and ſhall by force enter, or attempt to enter, the dwelling houſe, warehouſe, ſhop, cellar, yard, loft, linney, or building of any inhabitant of the county of the ſaid city or county of Dublin without the conſent of the poſſeſſor thereof, and without lawful authority for ſo doing; or ſhall by force enter or attempt to enter any ſhip, lighter, boat, bark, or veſſel lying at any of the quays of the ſaid city, or at any other place

If 7 riotouſly aſſemble, and by force enter, or attempt, the houſe, &c. of inhabitant of ſaid city or county, without conſent and authority, or ſhip, &c. without authority,

A. D. 1779-80. Chap. 36.

place or places in any of the rivers, or within any of the harbours of the ſaid city or county of Dublin, without lawful authority for ſo doing, or ſhall aſſemble in a tumultuous manner for the purpoſe of lying in wait to deſtroy and burn any empty caſks or other veſſels, being thereof convicted in a ſummary way by the oath of one or more witneſs or witneſſes before the ſaid lord mayor and any one alderman of the ſaid city, or any two magiſtrates for the ſaid county of Dublin (which oath the ſaid lord mayor and alderman or magiſtrates reſpectively within their juriſdiction are empowered and required to adminiſter) or by the confeſſion of the party, every perſon offending herein ſhall ſuffer impriſonment, not leſs than three months nor exceeding ſix months, without bail or mainprize; and every ſuch perſon or perſons ſhall, before he or they ſhall be diſcharged from ſuch confinement, enter into and be bound in a recognizance in a ſum not exceeding twenty pounds before the ſaid lord mayor, or any one alderman of the county of the ſaid city, or any juſtice of the peace for the county of Dublin, before whom ſuch perſon or perſons ſhall be convicted, for his or their being of the peace and good behaviour to all his Majeſty's ſubjects for any term not exceeding three years.

or to lye in wait to deſtroy empty caſks or veſſels,

on conviction ſummarily impriſoned not under 3, nor above 6 months,

and recognizance not above 20l. for peace and behaviour not above 3 years.

XIV. And whereas it hath alſo been a practice among the butchers, coopers, ſalters, journeymen, and labourers in the county of the ſaid city and county of Dublin to threaten and actually to injure the perſons and properties of butchers, coopers, ſalters, journeymen, and labourers in the ſaid proviſion trade, coming from other parts of this kingdom into the ſaid city and county in order to ſeek employment in their reſpective callings, with an intent to prevent and deter ſuch butchers, coopers, ſalters, journeymen, and labourers, ſo coming from other parts of this kingdom, from ſettling in the county of the ſaid city of Dublin and county of Dublin, and from ſoliciting or procuring employment therein, all which ſaid practices are highly deſtructive of induſtry and commerce: for remedy whereof be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall deſtroy or burn any empty caſks or veſſels, or any caſks or veſſels containing proviſions or other goods, upon any of the roads leading to, or that ſhall or may be brought or imported into, the county of the ſaid city of Dublin or into the county of Dublin from any other parts of this kingdom either by land or water carriage, or ſhall attempt by menaces or otherwiſe to hinder or prevent any perſon or perſons from importing or bringing empty caſks into the county of the ſaid city, or county of

To burn or deſtroy empty caſks, or with proviſions or goods on the roads, or brought to *Dublin* or the county,

or attempt to hinder bringing,

of Dublin from any other part of the ſaid kingdom, or ſhall refuſe to open, head, cooper, or full bind in a workmanlike manner the ſame, or ſhall cauſe or procure to be deſtroyed or burned any empty caſks or veſſels, or caſks or veſſels containing proviſions or other goods as aforeſaid, or ſhall threaten or injure either in perſon or property any butcher, cooper, ſalter, journeyman or labourer, who ſhall come from any other parts of this kingdom to work or ſolicit work in their or any of their reſpective callings, or ſhall refuſe to work with any foreigner, country butcher, cooper, ſalter, journeyman, apprentice, or labourer, upon information thereof upon oath given to the lord mayor, or any one alderman of the ſaid city or county, or any juſtice of the peace for the ſaid county of Dublin, it ſhall and may be lawful to and for the ſaid lord mayor, or any one alderman or magiſtrate of the county of the ſaid city, or county of Dublin reſpectively, within his juriſdiction to iſſue his warrant under his hand and ſeal to apprehend the perſon or perſons charged with all or any of the aforeſaid offences; and every ſuch perſon being thereof convicted in a ſummary way before ſuch lord mayor, and any one alderman, or any two magiſtrates for the ſaid county of Dublin, by the oath of one or more witneſs or witneſſes, which oath ſaid lord mayor and alderman or magiſtrates reſpectively within their juriſdiction are authorized to adminiſter, by warrant under his hand and ſeal to commit the perſon or perſons ſo convicted to gaol, there to be kept without bail or mainprize for any term not leſs than three months nor exceeding ſix months; and every ſuch perſon or perſons ſhall, before he or they ſhall be diſcharged from ſuch confinement, enter into and be bound in a recognizance not exceeding twenty pounds before the ſaid lord mayor, or any one alderman or magiſtrate of the county of the ſaid city or county of Dublin, before whom ſuch perſon or perſons ſhall have been convicted, for his or their being of the peace and good behaviour to all his Majeſty's ſubjects for any term not exceeding three years.

or refuſe to open, head, cooper, or full bind,

or cauſe to be burned or deſtroyed,

or threaten or injure in perſon or property any coming from other parts for work,

or refuſe to work with any foreigner,

on information on oath, and conviction ſummarily, impriſoned not under 3 nor above 6 months,

recognizance not above 20l. for peace and behaviour not above 3 years.

XV. Provided always, that nothing herein contained ſhall hinder or be deemed or taken to hinder perſons, ſo injured in their perſons or property as aforeſaid, to bring ſuch action or actions at law as they ſhall be adviſed, is or are proper for the recovery of the value of ſuch property ſo deſtroyed as aforeſaid.

Not to hinder action for recovery of value ſo deſtroyed.

XVI. And whereas it has been a common practice among the butchers of the county of the ſaid city and county of Dublin,

A. D. 1779-80. Chap. 36.

when they engage with a merchant or merchants, to furniſh ſuch merchant or merchants with beeves and hogs of a certain weight each, not to bleed the ſaid beef or beeves, hog or hogs, but to leave the blood in the ſame in order to encreaſe the weight of the carcaſe or carcaſes of ſuch beef or beeves, hog or hogs, which has been found moſt injurious to the curing and preſerving of the fleſh of ſuch beeef or beeves, hog or hogs, and will in the end deſtroy that branch of the ſaid proviſion trade: for remedy whereof be it enacted by the authority aforeſaid, that if any butcher or butchers ſhall ſend to any merchant or merchants in the county of the ſaid city or county of Dublin any beef or beeves, hog or hogs, which ſhall not be properly blooded, upon conviction thereof in a ſummary way before the lord mayor and any one alderman of the county of the ſaid city of Dublin, or before two juſtices of the peace for the county of Dublin, that the ſaid beef or beeves, hog or hogs, are ill or not ſufficiently blooded, or upon the confeſſion of the butcher or butchers ſo charged with ſuch offence, ſuch butcher or butchers ſhall forfeit ſuch beef or beeves, hog or hogs, to the governor of the houſe of induſtry for the uſe of the ſaid houſe of induſtry.

Beeves or hogs, ſent to merchant not properly blooded, forfeited,

for houſe of induſtry.

Appeal to next general quarter ſeſſions.

XVII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for any perſon or perſons, who ſhall or may think himſelf or themſelves aggrieved or injured by the ſentence or conviction of the ſaid lord mayor and any one alderman for the county of the ſaid city, or any two magiſtrates for the ſaid county of Dublin, in any of the caſes aforeſaid, to appeal therefrom to the next court of general quarter ſeſſions for the county of the ſaid city or county of Dublin reſpectively; by which court the matter of the ſaid appeal ſhall be determined, and in the mean time the ſentence or judgment of ſuch lord mayor and alderman and magiſtrates ſhall be ſuſpended.

On ſecurity for appearance.

XVIII. Provided always, that ſuch perſon or perſons ſo appealing to the ſaid quarter ſeſſions ſhall enter into ſufficient ſecurity for their appearance to abide the determination of the ſaid court of quarter ſeſſions, and not otherwiſe.

XIX. Whereas divers profligate and ill diſpoſed journeymen butchers, penny boys, and other perſons have of late forcibly taken bulls from the owners or drivers thereof for the malicious purpoſe of beating or otherwiſe deſtroying them; and the laws now in force to prevent ſuch wanton, wilful, and malicious purpoſes are found ineffectual to deter from the aforeſaid barbarous practices: be it enacted by the authority aforeſaid, that if

any

any butcher, journeyman butcher, penny boy, or other perſon or perſons ſhall forcibly, wilfully, wantonly, or maliciouſly take any bull or bulls either in or coming to the ſaid market of Smithfield or any other place in the ſaid city, or in any of the roads, avenues, or lanes leading thereto within the county of the ſaid city, from any owner, driver, or any other perſon or perſons having ſuch bull under his or their care or protection, ſuch butcher, journeyman butcher, benny boy, or other perſon or perſons, their aiders and abettors, knowing of and privy to the ſame, ſhall on being convicted thereof before the lord mayor or any other magiſtrate by the oath of one or more witneſs or witneſſes, ſuch perſon ſo convicted ſhall be committed to the houſe of correction and kept to hard labour there for the ſpace of three months.

Taking bull from owner or driver in *Dublin* or avenues thereto, aiders and abettors, committed three months.

XX. And whereas the preſent mode of conducting the butter buſineſs in the ſaid city and county of the ſaid city of Dublin, liberties thereunto adjoining, and of bringing butter for exportation into the ſame, is found to be extremely prejudicial to the butter trade of this kingdom in general, and of the ſaid city in particular: for remedy whereof be it further enacted by the authority aforeſaid, that from and after the firſt day of May one thouſand ſeven hundred and eighty one the lord mayor of the ſaid city of Dublin for the time being ſhall together with any five or more of the truſtees of the royal exchange of the ſaid city of Dublin appoint annually for each butter crane in the ſaid city, county of the ſaid city of Dublin, or liberties thereunto adjoining, one or more honeſt and ſkilful perſon or perſons as taſter of all butter, that ſhall come to be weighed in ſuch crane; and that each of the ſaid taſters, before he acts in the ſaid office, ſhall be ſworn before the ſaid lord mayor fairly, juſtly, and impartially to taſte all ſuch butter, as ſhall be brought to the crane, to which he ſhall be appointed as aforeſaid, and according to the beſt of his judgment without favour or affection to any party or parties; which oath the ſaid lord mayor is hereby impowered and required to adminiſter; and ſhall mark in legible characters upon the bilge of every caſk the initial letters of his the ſaid taſter or taſters name or names together with the quality with a hot iron or ſtamp, according as the ſame ſhall be of firſt, ſecond, third, or inferior quality.

From 1ſt May 1781 lord mayor with 5 exchange truſtees ſhall appoint annually taſters for each butter crane,

ſworn,

to mark on the bilge initials of name, with the quality.

XXI. And be it enacted by the authority aforeſaid, that if any taſter of butter appointed as aforeſaid ſhall brand or ſtamp as ſaid firſt quality, ſecond quality, third quality, or inferior quality, any caſk or caſks containing butter, which ſhall upon inſpection

If buyer or ſeller aggrieved by improper mark or ſtamp may have inſpected by two

A. D. 1779-80. Chap. 36.

ſpection be found to differ in quality from the brand thereon placed, or ſhall ſtamp or brand any caſk containing butter not anſwerable in ſize and make to the ſeveral deſcription of caſks herein after mentioned, it ſhall and may be lawful for the party or parties, who may think themſelves aggrieved by ſuch improper mark or ſtamp (whether the ſeller or buyer thereof) to cauſe each and every caſk thereof to be ſurveyed and inſpected by two or more merchants converſant in the butter trade; and if it ſhall appear, that the ſaid merchant ſo called upon to inſpect the ſaid butter, that the caſks containing the ſame is or are improperly branded or marked, and not anſwerable to the deſcription of the quality thereof, upon complaint thereof being made before the lord mayor, or any one magiſtrate for the ſaid city, county of the ſaid city of Dublin, or liberties thereunto adjoining, verified upon oath of the merchant who taſted and examined the ſame, it ſhall and may be lawful for the ſaid lord mayor or magiſtrate to fine the ſaid butter taſter offending therein the ſum of twenty ſhillings for the firſt offence, forty ſhillings for the ſecond offence, to be applied to the uſe and for the benefit of the houſe of induſtry, and for the third offence the ſaid butter taſter ſo offending is hereby rendered unqualified to act as butter taſter in the ſaid city, county of the ſaid city, or liberties thereunto adjoining for ever; and it ſhall and may be lawful for the ſaid lord mayor, and any four or more of the truſtees of the royal exchange in the ſaid city, the lord mayor always to be one, from time to time to aſcertain the fees to be paid to the ſaid butter taſters for taſting ſuch butter in the ſaid city of Dublin, county of the ſaid city, and liberties thereunto adjoining, between the ſeller and buyer of ſuch butter, and by whom the ſaid fees are to be paid, whether by the ſeller or by the buyer, or equally between both; and that no other fees ſhall be paid or received for taſting the ſaid butter in the ſaid city of Dublin, county of the city or liberties thereunto adjoining, between ſeller and buyer, but thoſe to be aſcertained by the lord mayor, and any four or more of the truſtees of the royal exchange as aforeſaid.

merchants in the trade,

if ſo appearing, on complaint to a magiſtrate, and merchant's oath, find 20s. 1ſt offence, 40s. 2d, to houſe of induſtry,

3d diſabled to act;

lord mayor and four exchange truſtees (lord mayor one) may aſcertain fees for taſting, and by whom paid,

no other paid or received.

XXII. Provided always, and be it enacted by the authority aforeſaid, that from and after the ſaid firſt day of May one thouſand ſeven hundred and eighty one no butter ſhall be brought into the ſaid city, county of the ſaid city, or liberties thereunto adjoining, for ſale in any other or different caſks or veſſels than the two denominations of caſks herein after mentioned, that is to ſay, in tight caſks or veſſels, made of white oak or aſh, which

From 1ſt May 1781 no butter brought for ſale in *Dublin* or liberties, ſave in caſks of white oak or aſh, not under 7 gallons and half

which ſhall not meaſure leſs than ſeven gallons and an half, nor more than eight gallons and an half, Wincheſter meaſure, each full bound with wooden hoops properly twigged, and in caſks or veſſels made of aſh (or of any ſuch timber as has been heretofore made uſe of for packing butter into for ſale for the Dublin market) and which laſt mentioned caſks or veſſels ſhall not meaſure leſs than fifteen gallons or more than ſixteen gallons Wincheſter meaſure each.

nor above 8 and half *Wincheſter*, full hooped twigged, and of aſh or timber as heretofore not under 15 gallons, or above 16 *Wincheſter*.

XXIII. Provided always, and be it enacted by the authority aforeſaid, that it ſhall and may be lawful for the ſaid lord mayor and truſtees to appoint ſuch mark to denote firſt quality, ſecond quality, third quality, and to make ſuch regulations reſpecting the mode of hooping ſuch caſks of butter, as ſhall to them ſeem expedient.

Lord mayor and truſtees may appoint marks of the quality, and regulate hooping.

XXIV. And in order to carry this act more effectually into execution be it enacted by the authority aforeſaid, that if any taſter of butter ſo appointed as aforeſaid ſhall brand or ſtamp any butter in other caſks or veſſels, than are herein before mentioned, that it ſhall and may be lawful for the ſaid lord mayor and any five or more truſtees of the royal exchange, upon complaint made to him or them verified by the oath of one or more credible witneſs or witneſſes, to ſuſpend the ſaid taſter offending therein from his ſaid office for any term not leſs than ſix nor exceeding twelve months, and to diſmiſs him from his ſaid office for ever upon being convicted as aforeſaid of a ſecond offence in the ſaid office.

Taſter, branding or ſtamping otherwiſe ſuſpended not under 6 nor above 12 months,

on 2d offence diſmiſſed.

XXV. Provided always, and be it enacted by the authority aforeſaid, that nothing herein contained ſhall extend or be deemed, conſtrued, or taken to extend to prevent perſons from packing up and bringing to the ſaid city, county of the ſaid city, or liberties thereunto adjoining, butter in bowls, coolers, or crocks for the conſumption of the inhabitants of the ſaid city, county of the ſaid city, or liberties thereunto adjoining.

Not to prevent bowls, or crocks, for conſumption of inhabitants.

XXVI. Provided always, and be it enacted by the authority aforeſaid, that no taſter or taſters, ſo to be appointed as aforeſaid, ſhall remain or continue at the ſame crane longer than one week at any one time, but ſhall be regularly removed or changed every Monday morning to ſome other crane; ſo that ſuch taſter or taſters ſhall go to each crane in the ſaid city, county of the ſaid city of Dublin, and liberties thereunto adjoining.

Taſters changed weekly.

XXVII. And be it further enacted by the authority aforeſaid, that if any perſon or perſons ſhall eraſe, counterfeit, or forge

any brand or brands, ſtamp or ſtamps, to be put, ſtamped, or branded upon any caſk or caſks of butter as aforeſaid by any taſter or taſters ſo to be appointed as aforeſaid, that ſuch perſon or perſons ſo eraſing, counterfeiting, or forging ſuch mark, brand, or ſtamp as aforeſaid, ſhall forfeit the ſum of fifty pounds for each and every ſuch mark, brand, or ſtamp, as he or they ſhall ſo eraſe, forge, or counterfeit, to the perſon or perſons injured thereby, to be recovered and recoverable in any of his Majeſty's courts of law in this kingdom.

Eraſing or forging brand on butter caſks, penalty 50l. each, to perſon injured.

XXVIII. And be it further enacted by the authority aforeſaid, that upon the appointment or removal of any of the ſaid butter taſters the name of ſuch perſon, ſo appointed or removed, ſhall be publiſhed in the next Dublin Gazette with the cauſe of ſuch perſon or perſons removal from the ſaid office.

On appointment or removal the name publiſhed in gazette.

XXIX. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſeveral officers of his Majeſty's revenue in this kingdom to inſpect and examine upon the ſeveral quays and wharfs in the ſaid city, county of the ſaid city of Dublin, and liberties thereunto adjoining, all ſuch butter, as ſhall be offered for exportation by any merchant or merchants, or other perſon or perſons exporting butter; and if they or any of them ſhall find or diſcover any butter offered for exportation in any other or different caſks than the caſks herein before deſcribed and ſpecified, that it ſhall and may be lawful to and for ſuch officer or officers to ſeize and lodge the ſame in any of his Majeſty's ſtores within the ſaid city or county of the ſaid city of Dublin, or liberties thereunto adjoining, there to be kept and detained till the ſame ſhall be condemned as a ſeizure or releaſed according to the determination of the chief commiſſioners of his Majeſty's revenue in Ireland; and if any ſuch butter ſhall be condemned, the ſame to be diſpoſed of in the manner, as in caſes of run or ſmuggled goods is uſual.

Revenue officers may examine on quays and wharfs butter offered for export,

if found in other caſks, ſeiſed and lodged in the king's ſtores, till condemned or releaſed by commiſſioners,

if condemned, diſpoſed as run goods.

XXX. And be it enacted by the authority aforeſaid, that this act ſhall in all courts and places be deemed and taken to be a publick act, and ſhall be judicially taken notice of by all judges, juſtices, and courts whatſoever, without ſpecially pleading the ſame; and that if any replevin ſhall be brought for any diſtreſs taken purſuant to this act, and if any perſon or perſons ſhall be ſued for any thing done by virtue and in purſuance of this act, the defendant or defendants in ſuch replevin, and ſuch perſon or perſons as ſhall be ſued, may plead the general iſſue, and give this act and the ſpecial matter in evidence for his or their defence; and if the plaintiff or plaintiffs ſhall diſcontinue his or their ſuit or

A publick act,

on replevin for diſtreſs, or ſuit for any thing, in purſuance of this act, general iſſue pleaded, and ſpecial matter in evidence,

action, or be nonſuited, or if judgment ſhall be given againſt him, her, or them on verdict or demurrer, the defendant or defendants ſhall recover double coſts of ſuit. A. D. 1779-80.

and double coſts to defendants on nonſuit, &c.

CHAP. XXXVII.

An act to prevent the deteſtable practices of houghing cattle, burning of houſes, barns, haggards, and corn, and for other purpoſes.

Maiming cattle, and burning houſes and articles of huſbandry of late prevail in various parts,

WHEREAS the deteſtable practices of killing, houghing, cutting, and maiming of cattle, and maliciouſly burning of houſes, barns, haggards, buildings, corn, and other articles of huſbandry, have of late much prevailed in various parts of this kingdom to the great diſcouragement of induſtry, and the manifeſt injury of the ſtate; and foraſmuch as ſome doubt hath been conceived with reſpect to the conſtruction of an act paſſed in this kingdom in the ſeventh year of the reign of King William the third, entitled, *An act for the better ſuppreſſing tories, robbers, and rapparees, and for preventing robberies, burglaries, and other heinous crimes*; and alſo with reſpect to the conſtruction of an act paſſed in this kingdom in the ninth year of the reign of King William the third, entitled, *An act to ſupply the defects and for the better execution of an act paſſed in this preſent ſeſſion of parliament*, entitled, *an act for the better ſuppreſſing tories and rapparees, and for preventing robberies, burglaries, and other heinous crimes*: for remedy whereof, and in order to clear up any doubt that may be entertained, be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of Auguſt in the year one thouſand ſeven hundred and eighty the inhabitants of every barony or county, or in caſes of uncertainty as to the place the inhabitants of both contiguous baronies or counties, ſhall make full ſatisfaction for all malicious burning of houſes, barns, haggards, corn, or other articles or effects by any perſon or perſons whatſoever to the party or parties injured, on the terms and conditions ſpecified in the ſaid act of the ſeventh year of king William the third; and alſo in the ſaid act made in the ninth year of the reign of king William the third herein before ſet forth, the ſame to be paid indiſcriminately by proteſtants, papiſts, and all the inhabitants of ſuch county and barony in proportion to their reſpective properties, the ſaid ſtatutes of the ſeventh or ninth years of king William the third or any other law or ſtatute to the contrary notwithſtanding.

doubts on 7 *Wil.* 3. c. 21.

& 9 *Wil.* 3. c. 9.

from 1 Aug. 1780, inhabitants of every barony and county, or, if the place uncertain, of both contiguous, ſhall fully ſatisfy for malicious burning by any on the terms in ſaid acts,

paid by proteſtants, papiſts, and all inhabitants, in proportion to properties, ſaid ſtatutes or other law notwithſtanding.

II. And

A. D. 1779-80. Chap. 37.

Where damages exceed not 100l. satisfaction by the barony, or by contiguous baronies on uncertainty; where above 100l. by the county only; or by contiguous counties on uncertainty.

II. And be it enacted by the authority aforesaid, that where the damages shall not exceed one hundred pounds sterling, the inhabitants of the barony, or in cases of uncertainty of the contiguous baronies, wherein the said facts shall be committed, and not of the counties at large, shall make satisfaction for the same as aforesaid; but where the damages shall exceed such sum of one hundred pounds, then and in such case only the inhabitants of the county, or in cases of uncertain situation of the contiguous counties at large, shall make satisfaction for the same; the said statutes of the seventh or ninth years of king William the third, or any other law, statute, or usage to the contrary notwithstanding.

on notice and examinations as in said acts in 6 days after injury, damages recovered with the differences herein before.

III. And be it further enacted by the authority aforesaid, that every person so damnified may sue for and recover their damages under the said acts of the seventh and ninth years of the reign of king William the third (with the differences however herein before set forth) upon their or his or her giving such notice and making such examinations as in said acts are mentioned, at any time within six days after such damage or injury done them in manner aforesaid, the said statutes of the seventh and ninth years of king William the the third, or any law, statute, or usage to the contrary notwitstanding.

On traverse of presentment for damages the judge may award costs, not exceeding 12l.

and orders in nature of execution against goods and chattles,

executed by sheriff as in ordinary cases.

IV. And be it further enacted by the authority aforesaid, that in case of any traverse of any presentment for damage under the said acts of the seventh or ninth of king William the third, or this act, being taken by any person, it shall and may be lawful to and for the judge, who shall try such traverse, to award by rule for that purpose costs to the party or parties, for whom such issue is found, against the other party or parties in such traverse respectively in any sum not exceeding twelve pounds sterling; and the said judge is hereby impowered to award and direct to issue forthwith an order or orders in nature of execution against the goods and chattles of such party or parties respectively; which said order or orders the sheriff of such county is hereby required to execute in the same manner, and under the like restitutions and penalties of executions in ordinary cases against the chattles and effects of defendants; any thing in the said statutes of the seventh or ninth years of king William the third or any other law or usage to the contrary notwithstanding.

Constable or other by warrant of 1 justice or information on oath may search sus-

V. And whereas the practice of stealing lambs hath from the difficulty of conviction much encreased: for remedy whereof be it enacted by the authority aforesaid, that it shall and may be lawful for any constable or other person by warrant under the hand

A. D. 1779-80

hand and ſeal of any one juſtice of the peace, founded upon information upon oath, to make ſearch in all ſuſpected houſes and places within the juriſdiction of ſuch juſtice for any lamb or lambs ſtolen or ſuppoſed to be ſtolen; and if ſuch conſtable or perſon ſhall find any lamb or lambs in the poſſeſſion, houſe, outhouſe, field, or ground of any perſon ſuſpected to be guilty of the ſtealing of the ſame or receiving the ſame being ſtolen, he ſhall bring ſuch ſuſpected perſon or perſons before ſuch juſtice of the peace; and if ſuch ſuſpected perſon or perſons ſhall not make full and clear proof to the ſatisfaction of ſuch juſtice, that ſuch lamb or lambs were fairly and honeſtly bought, or otherwiſe come by ſuch perſon or perſons, or given to him, her, or them by the owner or proprietor thereof, in default thereof, and being convicted of the ſame upon the oath of any one credible witneſs before ſuch juſtice, ſuch reſpective perſon or perſons being convicted as aforeſaid ſhall forfeit and pay ſuch ſum of money not exceeding forty ſhillings, as to ſuch juſtice ſhall ſeem meet and reaſonable, together with the charges previous to and attending ſuch conviction, to be aſcertained by ſuch juſtice who ſhall convict the offender or offenders; and upon nonpayment thereof ſuch juſtice ſhall commit ſuch offender or offenders to the common goal or houſe of correction of ſuch county by warrant under his hand and ſeal, there to remain without bail or mainprize for any time not exceeding ſix months, or until the ſaid penalty and charges to be aſcertained as aforeſaid ſhall be paid; one moiety of ſuch pecuniary penalty and the charges to be aſcertained as aforeſaid to be paid to the informer, and the other moiety to the poor of the pariſh under the diſtribution of the ſaid juſtice; any thing herein contained to the contrary notwithſtanding.

ſuſpected places for lambs ſuppoſed ſtolen,

if found, ſuſpected perſon brought before ſuch juſtice,

not proving fairly come by, and convicted on oath, ſhall forfeit not above 40s. with charges aſcertained by ſuch juſtice,

on nonpayment committed not above 6 months,

to informer and pariſh poor.

CHAP. XXXVIII.

An act to prevent vexatious and frivolous arreſts, and for other purpoſes.

WHEREAS in and by an act of parliament made in this kingdom in the ſecond year of the reign of king George the firſt, entitled, *An act for reviving and amending an act*, entitled, *An act for recovery of ſmall debts in a ſummary way before the judges of aſſize*, it is amongſt other things enacted, that it ſhall be lawful to and for the judges of aſſize in their circuits, and for ſuch of his Majeſty's judges or council learned in the law who ſhall with the juſtices of the peace of the county of

2 G. 1. c. 11.

A. D. 1779-80. Chap. 38.

Dublin hold the general quarter ſeſſions of the peace for the ſaid county, to determine in a ſummary way by Engliſh bill or paper petition in Engliſh all diſputes between party and party for any ſum not exceeding ten pounds in manner and on the terms in ſaid act mentioned; and the ſaid judges, council, and juſtices are alſo permitted by the ſaid act to decree executions in ſuch caſes, or to diſmiſs ſuch cauſe with coſts againſt the body or goods of the parties, againſt whom they ſhall give ſuch decree or diſmiſs reſpectively; which execution the ſheriffs of the ſeveral counties in this kingdom are by the ſaid act required to execute under like penalties and forfeitures, and in like manner, as any execution iſſued out of any of the four courts in Dublin: and whereas the power of arreſt and impriſonment under the ſaid act, where the cauſe of action does not amount to five pounds, is found by experience to be oppreſſive to great numbers of his Majeſty's ſubjects: for remedy whereof therefore be it enacted by the king's moſt excellent majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of September one thouſand ſeven hundred and eighty no perſon ſhall be arreſted, impriſoned, or taken in execution upon any decree, diſmiſs, or order of the ſaid judges, council, or juſtices, or any of them under the ſaid recited act, or by virtue of any warrant or proceſs thereon, where the cauſe of action ſhall not amount to five pounds or upwards; nor ſhall any ſheriff in ſuch caſe be liable to any penalty, forfeiture, or demand, by reaſon of the non execution thereof.

after 1ſt Sep. 1780 none arreſted under 2 *G.* 1. c. 11. where cauſe of action not 5l. or upwards,

nor ſheriff liable for non execution.

II. Provided always, and it is hereby declared, that nothing herein contained ſhall be conſtrued or taken in any ſort to affect any proceſs to be awarded or iſſued againſt the goods or effects of the parties reſpectively under the ſaid act.

Proceſs againſt goods or effects under ſaid act not affected hereby.

III. And whereas his Majeſty's courts of record in Dublin and in ſeveral places elſewhere in this kingdom frequently iſſue or cauſe to be iſſued executions againſt the bodies of defendants, where the cauſe of action does not amount to five pounds; and alſo even many inferior courts and juriſdictions from time to time erected within certain cities, towns, villages, lordſhips, manors, and other liberties in this kingdom are entitled or claim to be entitled to hold plea and iſſue proceſs and award execution for ſmall ſums, and alſo to arreſt on meſne proceſs, and impriſon and take in execution the bodies of the parties in ſuch caſes reſpectively: and whereas impriſonment in all ſuch caſes reſpectively has occaſioned great diſtreſs, and often prevents the

the priſoners from working for ſupport of themſelves and families to the manifeſt diſadvantage of the ſtate: For remedy whereof therefore be it enacted by the authority aforeſaid, that from and after the ſaid firſt day of September one thouſand ſeven hundred and eighty no perſon ſhall be taken by his body in execution by or upon any execution or other proceſs iſſuing out of any court of record in this kingdom, where the cauſe of action ſhall not amount to the ſum of five pounds or upwards; and alſo that no perſon whatſoever ſhall be arreſted on meſne proceſs, or held to ſpecial bail upon any proceſs, or ſhall be taken by his body in execution upon any execution iſſuing out of any court of record in this kingdom iſſuing out of any inferior court or juriſdiction, the court of conſcience of the city of Dublin, and the civil bill court of the city of Dublin, and all other civil bill courts whatſoever only excepted, where the cauſe of action ſhall not amount to the ſum of five pounds or upwards; any law, ſtatute, preſcription, or uſage to the contrary in any wiſe notwithſtanding.

No perſon taken in execution on proceſs out of court of record, where cauſe of action not 5l. nor arreſted on meſne proceſs, or held to ſpecial bail or taken upon execution out of inferior court or juriſdiction, where the cauſe not 5l. court of conſcience and all civil bill courts excepted.

IV. Provided always, and be it further enacted by the authority aforeſaid, that nothing herein contained ſhall extend or be conſtrued to extend in any manner to bar or defeat the right of any perſon in ſuch ſuperior court of record or inferior court to proceed in the uſual manner, heretofore purſued in ſuch ſuperior court of record or inferior court reſpectively, againſt the eſtates, goods, or effects of the parties reſpectively.

Proceedings as uſual againſt eſtate and effects not barred.

V. And foraſmuch as perſons ſerved with proceſs iſſuing out of inferior courts, where the debt is under five pounds, may in order to avoid execution remove their perſons and effects beyond the limits of the juriſdiction of ſuch courts: be it enacted by the authority aforeſaid, that in all caſes, where final judgment ſhall be obtained in any action or ſuit in any inferior court of record, it ſhall and may be lawful to and for any of his Majeſty's four courts at Dublin, upon affidavit made and filed therein of ſuch judgment being obtained, and of diligent ſearch and enquiry having been made after the perſon or perſons of the defendant or defendants, or his, her, or their effects, and of execution having iſſued againſt the perſon or perſons or effects, as the caſe may be, of the defendant or defendants, and that the perſon or perſons or effects of the defendant or defendants are not to be found within the juriſdiction of ſuch inferior court, which affidavit may be made before a judge or commiſſioner authorized to take affidavits, and ſuch ſuperior court to cauſe the record of the

Where final judgment in inferior court of record, on affidavit in any of the 4 courts, and of execution againſt defendants perſon or effects, not to be found in the juriſdiction after diligent ſearch, the record removed into ſuperior court, writs of execution thereon to ſheriff againſt perſon or effects as upon judgments in 4 courts,

A. D. 1779-80. Chap. 38.

the ſaid judgment to be removed into ſuch ſuperior court, to iſſue writs of execution thereupon to the ſheriff of any county, city, liberty, or place, againſt the perſon or perſons or effects of the defendant or defendants in the ſame manner as upon judgments obtained in the ſaid four courts Dublin; and the ſheriff upon every ſuch execution ſhall and he is hereby authorized to detain the defendant or defendants, until the ſum of twenty ſhillings be paid to him, or to levy the ſame out of the effects according to the nature of the execution for the extraordinary coſts of the plaintiff or plaintiffs in the inferior court ſubſequent to the ſaid judgment, and of the execution in the ſuperior court, over and above the money for which ſuch execution ſhall be iſſued.

Sheriff on ſuch execution ſhall detain defendant until 20s. paid him, or levy out of effects, for plaintiff's extraordinary coſts, above the money for which execution.

VI. Provided always, and be it further enacted by the authority aforeſaid, that from and after the firſt day of September one thouſand ſeven hundred and eighty no execution ſhall be ſtayed or delayed upon or by any writ of error or *ſuperſedeas* thereon, to be ſued for the reverſing of any judgment given or to be given in any inferior court of record, where the damages are under five pounds, unleſs ſuch perſon or perſons, in whoſe name or names ſuch writ of error ſhall be brought, with two ſufficient ſureties, ſuch as the court (wherein ſuch judgment is or ſhall be given) ſhall allow of, ſhall firſt, before ſuch ſtay made or *ſuperſedeas* to be awarded, be bound unto the party, for whom any ſuch judgment is or ſhall be given, by recognizance to be acknowledged in the ſame court in double the ſum adjudged to be recovered by the ſaid former judgment to proſecute the ſaid writ of error with effect, and alſo to ſatisfy and pay (if the ſaid judgment be affirmed or the ſaid writ of error be nonpros'd) all and ſingular the debt, damages, and coſts adjudged or to be adjudged, and all coſts and damages to be awarded for the ſame delaying of execution.

No ſtay of execution by *error* or *ſuperſedeas* to reverſe judgment in inferior court of record, where damages under 5l. unleſs firſt recognizance with 2 ſureties in double the ſum to proſecute with effect, and, if affirmed, &c. pay the debt and all coſts and damages.

VII. Provided alſo, and be it further enacted by the authority aforeſaid, that no cauſe, where the cauſe of action ſhall not amount to the ſum of five pounds or upwards, ſhall be removed or removable into any ſuperior court by any writ of *habeas corpus* or otherwiſe, unleſs the defendant, who ſhall be deſirous of removing ſuch cauſe, ſhall enter into the like recognizance for payment of the debt and coſts, in caſe judgment ſhall paſs againſt him.

Where not 5l. no cauſe removed, unleſs like recognizance for debt and coſts.

VIII. And whereas it frequently happens, that ſheriffs and ſub-ſheriffs in this kingdom levy or receive ſums of money from defendants

defendants under proceſs in their hands, and notwithſtanding with-hold the ſame on various pretexts for a conſiderable time from the plaintiffs: for remedy thereof be it enacted by the authority aforeſaid, That any ſheriff or ſub-ſheriff, who ſhall receive after the firſt day of September in the year one thouſand ſeven hundred and eighty, any ſum by colour of or in virtue of his office for any plaintiff, and ſhall with-hold without reaſonable cauſe of ſuch neglect the ſame for the ſpace of one calendar month after requeſt, ſhall be liable to pay and ſhall pay accordingly ſuch plaintiff intereſt for ſuch ſum at the rate of ten pounds by the hundred, and alſo the treble coſts out of pocket of the application or applications to the court whence the proceſs iſſues.

A. D. 1779-80.

Sheriffs ſhall pay 1*d.* *per cent.* for money received for plaintiff, with-held 1 month after requeſt without cauſe,

and treble coſts out of pocket.

CHAP. XXXIX.

An Act for explaining an Act made in the Eighth Year of the Reign of Her late Majeſty Queen Anne, entitled, *An Act for explaining and amending an Act to prevent the further Growth of Popery, ſo far only as the ſame makes a Proviſion for the Maintenance of Popiſh Prieſts converted to the Proteſtant Religion.*

WHEREAS that part of the act made in the eighth year of her Majeſty Queen Anne, making proviſion for the maintenance of popiſh prieſts that had or ſhould become converts to the proteſtant religion, which was continued by the act of the thirty firſt of his late Majeſty George the ſecond, and by another act made the eleventh and twelfth of his preſent Majeſty, which will expire at the end of this ſeſſions; and it being expedient not only to continue a proviſion for ſuch converts, but to aſcertain the power of levying ſuch ſums of money as may be neceſſary for that purpoſe, and likewiſe to prevent any difficulty in determining what perſons ſhall be entitled to ſuch maintenance: be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the twenty fourth day of July, one thouſand ſeven hundred and eighty, every popiſh prieſt, who hath heretofore conformed to the proteſtant religion, or who ſhall become proteſtants

8 *Anne,* c. 3. ſ. 18. continued by 31 *G.* 2. c. 9. & 31 & 32 *G.* 3. c. 19. ſ. 1. and near expiring.

popiſh prieſt conforming, approved as convert.

A. D. 1779-80. Chap. 39.

protestants during the continuance of this act, and shall be approved of as a convert, and shall be received into the church by the archbishop or bishop of the diocese, wherein he resided and officiated as a popish priest, and who shall conform himself to the church of Ireland as by law established, and who shall have taken the oaths and subscribed the declarations in such manner, as the conformable clergy are obliged to do, at any quarter sessions, shall have as maintenance forty pounds yearly, to be paid to them by the treasurer of the county, wherein he officiated when a popish priest, by two equal payments on every twenty fifth day of March and twenty ninth day of September during his residence in such county, until he shall be provided for by some ecclesiastical benefice or licenced curacy of the same or greater value, subject nevertheless to suspension or deprivation by the archbishop or bishop of the diocese, wherein he shall dwell and reside, in like manner as the inferior clergy are subject to; and provided, that every such popish priest so converted shall, and he is hereby required, under the penalty of forfeiting his allowance publickly to read once a week the common prayers or liturgy of the church of Ireland as by law established, and to preach in the English tongue in such places and at such times, as the archbishop or bishop of the diocese shall direct or appoint.

received into the church, taking the oaths, & subscribing the declarations, at quarter sessions, shall have 40*l.* yearly maintenance, paid by county treasurer where officiating, On 25th *March* and 29th *Sep.* during residence, till provided by benefice or curacy of same or greater value, subject to suspension or deprivation, to read weekly the prayers and liturgy and preach in *English*, or forfeit allowance,

II. And be it enacted by the authority aforesaid, That the forty pounds for the maintenance of such conforming priest shall yearly be levied off the inhabitants of the county or county of the city or county of the town, where such conforming priest did reside, and was appointed to officiate as a popish priest, before he conformed, in like manner as money is levied, that is charged by grand juries upon the said counties or counties of cities or towns, and to be paid him or them by equal parts; and it shall be lawful for the grand juries at the several spring and summer assizes in the several counties, and the grand juries for the county of Dublin and the county of the city of Dublin at the several Easter and Michaelmas terms, to present the sum of twenty pounds as the half yearly maintenance or the sum of forty pounds as the yearly maintenance of such converted priests; and that this act may continue for the space of seven years, and to the end of the then next session of Parliament.

said 40*l.* levied yearly off inhabitants where such priest resided and officiated before conformity, as grand jury charges, paid by equal parts, presented at spring and summer assizes, and for *Dublin* county and city at Easter and Michaelmas terms, continued 7 years and to end of then next session.

CHAP.

A. D. 1779-80.

CHAP. XL.

An Act for the Relief of Perſons in actual Cuſtody for Debt.

WHEREAS the ſeveral perſons, whoſe names are mentioned in the ſchedule hereunto annexed, having been by misfortunes rendered unable to ſatisfy the whole of their reſpective debts, have been confined in priſon for a conſiderable time paſt; and it is reaſonable to make proviſion for ſuch of them, as ſhall do the utmoſt for the ſatisfaction of their creditors: therefore be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful for all and every the perſons, whoſe names are mentioned in the ſchedule hereunto annexed, againſt whom no petition hath been preferred to the houſe of commons of this kingdom during this ſeſſion of Parliament at any time before the firſt day of May, one thouſand ſeven hundred and eighty two, to exhibit petitions to his Majeſty's court of King's bench or common pleas in Dublin, ſetting forth the ſeveral matters directed to be ſet forth in the petitions of the perſons mentioned in a ſchedule annexed to an act paſſed in the firſt year of his preſent Majeſty, entitled, *An act for the relief of inſolvent debtors*; and the ſaid ſeveral perſons ſhall, upon performing the ſeveral requiſites in the ſaid act directed to be performed by the ſeveral perſons mentioned in the ſchedule thereunto annexed, be entitled to the like benefit and relief, and ſubject to the like puniſhment in caſe of delivering a falſe and untrue account of their eſtate and effects, or concealing the ſame, as by the ſaid act is directed with reſpect to the ſeveral perſons, whoſe names are mentioned in the ſaid ſchedule annexed to the ſaid act; and the reſpective eſtates and effects of the perſons, whoſe names are mentioned in the ſchedule hereunto annexed, ſhall be ſubject to all and ſingular the terms and proviſions mentioned in the ſaid act with reſpect to the eſtates and effects of the perſons, whoſe names are mentioned in the ſaid ſchedule annexed to the ſaid act.

II. And be it enacted by the authority aforeſaid, That his Majeſty's courts of King's bench, exchequer, and common pleas reſpectively ſhall be inveſted with all and ſingular the like powers with reſpect to the perſons eſtates and effects of the reſpective priſoners mentioned in the ſchedule hereunto annexed, as the ſaid courts, or any of them, were reſpectively inveſted with by the ſaid act for the relief of perſons whoſe names were included in the ſaid ſchedule thereunto annexed.

III. Provided always, and be it further enacted by the authority aforeſaid, That ſuch of the ſaid perſons in the ſaid ſchedule hereunto annexed, as is or are actual priſoner or priſoners in any gaol or priſon in this kingdom on any proceſs whatſoever for or by reaſon of any debt whatſoever, and which gaol or priſon is above the ſpace of twenty miles diſtant from the city of Dublin, on preferring his, her, or their petition or petitions, as, it is in ſuch caſe or caſes directed, they ſhall be preferred by the ſaid act paſſed in the firſt year of his preſent Majeſty, entitled, *An act for the relief of inſolvent debtors*, and upon performing the ſeveral requiſites in the ſaid act directed to be performed, ſhall have and be entitled to the like benefit and relief, and ſubject to the like puniſhment in caſe of delivering a falſe and untrue account of their eſtate and effects, or concealing the ſame, as by the ſaid act is directed with reſpect to the ſeveral perſons, whoſe names are mentioned in the ſaid ſchedule annexed to the ſaid act; and the eſtates and effects of ſuch perſons, whoſe names are mentioned in the ſchedule hereunto annexed, ſhall be ſubject to all and ſingular the terms and proviſions mentioned in the ſaid act with reſpect to the eſtates and effects of the perſons, whoſe names are mentioned in the ſaid ſchedule annexed to the ſaid act.

IV. And be it further enacted by the authority aforeſaid, That the judges of the King's bench, exchequer, or common pleas in Dublin, the chairman and juſtices

A. D. 1779-80. Chap. 40.

of the quarter ſeſſions for the county of Dublin, the judge or judges of aſſize or aſſizes at any aſſize which ſhall be holden in any county, city, town or place after the paſſing of this act into a law, ſhall be inveſted with all and ſingular the like powers with reſpect to the perſons, eſtates, and effects of the reſpective debtors mentioned in the ſchedule hereunto annexed, as the ſaid judge or judges of aſſize were reſpectively inveſted with by the ſaid act paſſed in the firſt year of his preſent Majeſty for the relief of perſons, whoſe names were included in the ſaid ſchedule thereunto annexed.

V. And whereas ſeveral perſons diſcharged from priſon under the former acts of inſolvency, and who performed the requiſites required to be performed by ſuch acts, have been afterwards contrary to the good intention and true meaning of ſuch acts arreſted and continued in priſon at the ſuit or ſuits of their former creditors, in order that by ſuch confinement the unhappy debtors might during the vacation of term ſuffer the cruelty of ſuch confinement, and undergo the difficulties of inſtituting a ſuit to recover that liberty, which it was the humane intention of ſuch acts to have given them without any ſuch difficulties: therefore be it further enacted by the authority aforeſaid, That if any of the perſons in the annexed ſchedule, who ſhall be diſcharged from their confinement by conforming him, her, or themſelves truly and honeſtly to the intent and meaning of this act, and who have performed the requiſites required to be performed without any fraud or perjury, ſhall be thereafter arreſted and confined, or have any ſuit or ſuits whatſoever commenced againſt him, her, or them by reaſon of any judgment or decree, or for any debt, damages, attachments, contempts, coſts, ſum or ſums of money contracted, incurred, occaſioned, owing, or growing due before the time of ſuch perſons taking the benefit of and being diſcharged by this act; and then and in ſuch caſe or caſes the creditor or creditors reſpectively, at whoſe ſuit ſuch perſon or perſons hath, or have been ſo arreſted or impriſoned, or hath or have any ſuch ſuit or ſuits ſo commenced againſt him, her, or them, ſhall forfeit the ſum of twenty pounds ſterling, to be paid to the ſaid perſon or perſons ſo arreſted, confined or proceeded againſt, and which ſum or ſums ſhall be recovered with treble coſts by civil bill in ſuch court or courts, where proceedings by civil bill may by law be had, or by action of debt, plaint, or information in any of his Majeſty's courts of record in Dublin, in which no protection, wager of law, or eſſoign ſhall be allowed, or more than one imparlance.

VI. Provided, That nothing herein contained ſhall extend to protect the real or perſonal property of any perſon obtaining benefit under this act: but the ſame are hereby declared liable to all demands of every creditor of ſuch perſon, any thing herein contained to the contrary in any wiſe notwithſtanding.

VII. Provided always, That no perſon ſhall take or have any benefit by this act, who has made any fraudulent conveyance or aſſignment of his eſtate and goods, or any part thereof, either previous or ſubſequent to his failure, with an intention to defraud his creditors, or any of them, or who has done, or ſuffered to be done, any fraudulent act for the purpoſe aforeſaid, and the ſame ſhall be made to appear to the ſatisfaction of the court, in which the petition of ſuch debtor ſhall be depending, upon an examination either *viva voce*, or by affidavit, as ſuch court ſhall direct.

VIII. And provided always, That nothing herein contained ſhall extend or be conſtrued to extend, to the benefit of any perſon, who is within the proviſions of the bankruptcy law.

IX. And provided always, That nothing herein contained ſhall extend or be conſtrued to extend to the benefit of any perſon, who has been relieved by, and taken the benefit of any former act of inſolvency.

X. And provided always, That no perſon as guardian, truſtee, executor, or adminiſtrator, is indebted to any perſon or perſons, or who either now is or ſhall be hereafter committed by virtue of any attachment or ſerjeant at arms for a contempt of any court of juſtice in not accounting for or paying any ſum or ſums of money

ney received under or by virtue of the order of ſuch court, ſhall be entitled to any benefit or relief from this act, any thing herein contained to the contrary notwithſtanding.

XI. Provided alſo, That all perſons, who have conveyed, embezzled, or converted to their own uſe, any monies, goods, wares, or merchandizes of perſons, who have employed or intruſted them, or who have made uſe of any fraud, falſe token or pretence for obtaining any ſum of money, ſhall be excluded from receiving any benefit or advantage by this act.

XII. Provided always, That nothing herein contained ſhall extend or be deemed to extend, or ſhall in any manner be conſtrued or taken to extend, to give benefit, eaſe, diſcharge, or relief to any perſon or perſons whatſoever for any debt for rent or arrears of rent, whether by a bond, note, or other ſettlement, in writing, perfected to the landlord or landlords for the ſame, or otherwiſe, which debt became due and payable out of any lands, tenements, and hereditaments, when he, ſhe, or they owing ſuch rent or arrears of rent, or any other perſon or perſons deriving by, from, or under him, her, or them, is or are in poſſeſſion of all or any ſuch lands, tenements, or hereditaments, out of which ſuch rent was payable.

XIII. Provided likewiſe, That this act ſhall not extend to free the real or perſonal eſtate of any perſon obtaining benefit under this act, which ſuch perſon or perſons ſhall acquire or become entitled to after having taken the benefit thereof; but that the ſame ſhall be liable to the debts owing by them in as full and ample a manner, as if this act had never been made.

A. D. 1779-80. Chap. 40.

SCHEDULE of Perſons in actual Cuſtody for Debt on or before the Firſt Day of January, One Thouſand Seven Hundred and Eighty, againſt whom no Petitions were preferred.

Antrim. County Gaol.

Patrick Serjeant	Andrew M'Kinley
William Macartney	Francis Hutchinſon
Hugh Peebles	John M'Donald
Hannah Refford	John Dorment
Thomas Henderſon	Arthur M'Mahon.

Marſhalſea of the Manor of Kilultagh, in the Town of Liſburne.
William Rawlins.

County of the Town of Carrickfergus, in the County of Antrim.
John Powel Curry.

Armagh. County Gaol.

Patrick Moore	Hugh M'Vea
Joſeph Duff	William Henderſon
Hugh M'Garvey	Sarah Murphy
William Engliſh	Thomas Bogan
Patrick Donnelly	John Graham.

Carlow. County Gaol.

Robert Johnſton	Dennis Byrne.

Cavan. County Gaol.

Edward Broadburn	John Shaw
Patrick Dungan	Archibald Noble
John O'Neill	Edward Fitz Gerald.

Clare. County Gaol of Ennis.

Joſeph Conſidon	Laurence Slattery
Tim. Grippa	Richard Woods
Daniel Ready	Thomas Hannigan
Morgan Hartley	William Timmins
John Fitz Gerald	John Green
Patrick Slattery	Andrew Lyſaght
Denis Kirwan	Daniel Lynchy.

Cork. County Gaol.

John Donnellan	William Splaine
John Heagerty	James Barret
Robert Foulkes	Murtagh Scanlan
Richard Coſkery	Timothy Bohilly
Callaghan McCallaghan	John Cunningham
Timothy Lyne	Michael Ryan
Deane Talbot	John Haly.

Cork. City Gaol.

Derby Mahony	Peter Walſh
James Short	John Oſburn
James Lehy	Teigue Croneen

Daniel

Daniel Sweeny
Michael Hallinane
John Rice
Timothy Mullens
John M'Mahon
John Walsh
Patrick O'Connor
Patrick Doyle
James Lehy
Michael Bohilly
Cornelius Dempsey
John Rice
Michael O'Hallaran
William Cooper
John Whelpley
William Christian.

Donegal. County Gaol of Lifford.

John O'Donnell
Patrick Mullin
John Griffin
James Martin.

Down. County Gaol.

Dennis M'Allister
Patrick Stephenson
Thomas Byrne
Thomas Swan
David M'Lean
Edward Smith.

Dublin. County Marshalsea of the Manor and Liberties of Kilmainham.

Christopher Reilly
Andrew Bourne
John Butterfield
Gilbert Haughton
Matthias McGuire
Peter Hanaway
Philip O'Hara
Edward Reilly
Laurence Mealy
Nicholas Ford
Patrick Crawley
William Dry
James Byrne
James Sullivan
John Chapman
Thomas Hanley
William Fagan
James Barlow
Hugh O'Brien
Mercer Harvey
Mary Bourke
William Hallagan
John Bourke
Edward Higgins
John Mealy
John Irvine
Alexander Shilly
Michael Dignan
George Emerson
Thomas Cormally.

Dublin. City Gaols, Newgate and Black Dog.

Edward Cusack
John Priestly
Redmond McHugh
Robert Coleman
Thomas Neale
Alice Warrell
Richard Barry
John Hughes.

Marshalsea of Saint Sepulchre.

James Rafferty
Michael Kelly
Patrick Passmore
Thomas Smith
James Byrne
John Doran
James Crawford.

Dublin. City Marshalsea.

Thomas Byrne
Ann Brenan
John Bell
Rose Chawner
John Denoy
Richard Faircloth
Mary Fox
John Kisby
Christopher McNamara
Andrew McDonell
Felix McCarroll
John Moore
Margaret Mathews
William McClenahan
William Norton
Mathew Rogers

A. D. 1779-80. Chap 40.

Jane Raddy
Daniel Torney
John Weſt.

Dublin City. Four-Court Marſhalſea.

Mathew Brayſon
Margaret Butler
Joſeph Baily
Edward Black
John Bourke
Luke Barret
William Bloomer
Garret Byrne
Chriſtopher Dalton
Thomas Dermott
William Davis
John Brady
Richard Cuſack
Mathew Carroll
Terence Coſgrave
Robert Curtis
William Cullen
John Cantlin
Mathew Carter
Laurence Myler
Bryan Mooney
John Mathews
Catherine Madden
Patrick Dowdall
Andrew Dogherty
Terence Dogherty
John Elliot
Phineas Evans
Henry Fitzſimons
James Farrell
Robert Goggin
Richard Graham
Thomas Gurley
Thomas Graham
Peter Hunchin
Peter Harris
Richard Hind
John Hardgrove
Peter Hughes
Martin Hughes
Mitchelburn Knox
Thomas Kelly
Thomas Keilly
Joſeph Kerby
Mathew Kelly
Hyacinth Killkelly
Edward Leavy
Peter Lee
Robert Logan
Edward Maguire
Terence McCan
Nicholas Murphy
William McCabe
William Molloy
Peter McNally
Laurence Monk
Patrick McQueade
William Maguire
David Oliver
Cormick O'Neale
Mare Clare O'Reily
Mary O'Brien
William Oſborne
Thomas O'Mullen
William Pattiſon
Simon Pierſon
Laurence Prendergaſt
Laurence Reilly
Patrick Ralph
John Steirs
George Sherry
Collin Sinkler
William Soroghan
Samuel Townſhend
William Terrel
Robert Thompſon
Robert Willougby
Eſther Young.

In the cuſtody of the Sheriffs of the County of the City of Dublin.

David Johnſton
John Bolton
Joſiah Veatch
Edward Higgins.

Dublin. County Marſhalſea.

Dame Mary Blake
Michael Houlton
Leſter Biddy
David Lunt
William Maguire
Jonathan Paſley
Thomas Clark
James Connor
William Webb
Patrick Hanlan
John Mangan
Mary Harvey
Catherine Hodgings
James Kelly

Robert Murray
Michael Redmonds
William Jordan
Daniel Mahony.

Fermanagh. County Gaol of Enniſkillen.

Patrick Murray
Adam Rekin
Michael Garvey
Robert Howe
William Armſtrong
Bryan Neaſon
William Latimore
Thomas Fawſet
William McCabe
Edward Farrell.

County of the Town of Galway Gaol.

Peter Blake.

Kerry. County Gaol of Kerry.

Owen McCarthy
Darby Broſnahan
Darby Mahony
Thomas McCarthy
John Turner
Darby Shea
Mathew Connor
Roger Sullivan
Cornelius Sullivan
Daniel Luony.

Kilkenny. City Gaol.

Patrick Caſhen
Patrick Reilly
Elinor Berkley.

Kilkenny. County Gaol.

Thomas Haydon
Anne Fitzpatrick
Bryan Doyle
John Brenan
Michael Dunphy
John Lawleſs
John Kennedy.

Kildare. County Gaol of Athy.

Thomas Dalhunty
Edward Gahan
Edward Salt
Thomas Frewen.

King's County. Gaol of Philipſtown.

Joſeph Carliſle
John Sarjeant
Thomas Dyer
Giles Dyer
Hugh Connor
Owen Slattery.

Leitrim. County Gaol of Carrick.

James Reynolds
Thomas Miller
Patrick Sullivan.

Leitrim. County Marſhalſea of Manor Hamilton.

John Foſter.

Limerick. City Gaol.

Daniel Carney
Andrew Loughlin
William Gleeſon
Henry Walſh
Patrick Collopy.

Londonderry. County Gaol.

William Read
Thomas Croſkeran
William Parke
Edward Dogherty.

A. D. 1779-80. Chap. 40.

Londonderry. County Gaol of Colerain.

Darcus Cammaran
James Peters
William Brenan.

Londonderry. City and Liberties Marſhalſea.

Moſes Makey
Walter Patterſon
Patrick Quin.

Longford. County Gaol.

James Killbridge
Paul Reynolds
William Slevin
Patrick Ferrall
Patrick Ferrall
Patrick Doyle
George McCreery
Thomas Ghvan.

Louth. County Gaol of Dundalk.

Mathew Farner
Bridget Hoods
Hanna McGhee
Lucia Paddock, otherwiſe Chriſtie
Richard Taaffe
Thomas Juſt
John Cunningham
Samuel Crawley
John Kennedy
Hugh Donnelly
Patrick Markey
Philip Byrne.

Louth. County Drogheda Marſhalſea.

John Swan
Luke Terny
William Doolin
Richard Crinion
Henry McManus
Walter Moonan
Michael Fullam
Patrick Tiernan
Sarah McFarlan
Matthew McCunning.

Mayo. County Gaol of Caſtlebar.

Thady Murphy
James Goulden
Michael McGreevy
Daniel Keon
Thomas Philben
Patrick Conrey
Auguſtine Horan.

Ditto County. Ballinrobe Gaol.

Michael Gallager
James McNulty
William Chambers.

Meath. County Gaol of Trim.

Patrick Gilſhenan
Patrick Concannon
Michael Murray
John Dillon
Michael Donnelly
Patrick Cogan
James Gardiner
Patrick Martin
Bryan Cogan.

Monaghan. County Gaol.

Richard Philips
Edward Steen
John Connelly
Andrew Slevin
Robert Henry
Phelemy Greenan
Hugh Purdy
John Fitzpatrick
Francis McCade
Arthur Quin
Patrick Duffy
Patrick Foley.

Roſcommon.

Roſcommon. County Gaol.
Edward Keegan.

Sligo. County Gaol.

William Shaw	James Gallagher
William Walker	Patrick O'Donnell
William Owens	Andrew Hart
Elinor Palmer	John Abbott.

Tyrone. County Gaol of Omagh.

Francis Mongan	John McGarvey
Clad Chriſtie	John Heaſty
Cormick Quin	William Quin
Charles Boyle	John Daly
Peter Nugent	John Gormly
William McElroy	Samuel Balam
Cornelius McCormick	George Young.
Owen Daly	

Tyrone Connty. Marſhalſea of Strabane.

John Kinkade	Timothy McMullane
James Graham	Gabriel Lard
Francis Tete	David Speer
James Hood	Knougher O'Crampſey.

Tipperary. County Gaol of Clonmell.

Charles Lannigan	John Healy
James Bourke	John Luby
David Walſh	Michael Wall
James Moſton	Maurice Ryan
Malackey Dwyer	Thomas Ryan
Patrick Condon	Jeremiah McCarthy
Philip Power	Edmond McDaniel
James Lunergan	John Hackett
John Dwyre	John Ryan
Michael Griffin	Francis Michel
Patrick Mahergan	Maurice Walſh
William Greery	Roger Moreſay
Edmond Bourke	John Tineſy
James Cleary	Michael Murphy
Thomas Kennedy	Richard Keating.

Waterford. County Gaol.

Edmond Curreen	Stanhope Maſon.

Waterford. County of the City Gaol.

Maurice Hearn	Patrick Merrigan.
John Fling	

Wexford. County and Town Gaol.

Terence Dempſey	Daniel Murphy
John Donnelly	Charles Cooke
Derby Moony	Mathew Myler.

A. D. 1779-80. Chap. 40.

Weſtmeath. County Gaol of Mullingar.

Michael Hoey — Edward Nowland
George Shea — Rachael Nowland.
Mathew Leavy

Wicklow. County Gaol.

Joſeph Ryder — Mathew Coſtello
James Fitzwilliam — Laurence Lawers.

CHAP. XLI.

An Act for empowering Grand Juries to preſent Bridges and Tolls to be paid for paſſing the ſame in certain Caſes.

WHEREAS the building and erecting good and ſufficient bridges over divers rivers and waters in this kingdom would prove of the greateſt utility by promoting and facilitating the paſſage of goods, merchandizes, cattle, carriages, and travellers from one part to another, and thereby extending that free and uninterrupted communication which is always highly beneficial and neceſſary in a commercial country: and whereas grand juries, who, as the law now ſtands, have power to preſent ſufficient ſums of money for erecting bridges, where they may think them neceſſary, are often induced to decline preſenting the moſt neceſſary bridges on account of the expence attending the ſame, and to avoid loading the people with heavy taxes, whom they may think already ſufficiently charged for other county purpoſes: and whereas private perſons may often be induced to take upon themſelves the riſque, labour, and expence of erecting and maintaining ſuch bridge or bridges from time to time without any ceſs on any county, if they ſhould be by law allowed a reaſonable toll for all perſons, cattle, and carriages paſſing the ſame: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty every grand jury of any county, or county of a city or county of a town, at any aſſizes to be holden for the ſame may receive from any perſon or perſons, willing to build any bridge or bridges over any river or water in ſuch county, or county of a city or county of a town, any propoſal or propoſals for building ſuch bridge or bridges without any expence to ſuch county, or county of a city or county of a town, and the plan or plans of the ſame, with a

Grand juries at aſſizes may receive propoſals for building bridges without expence to the county, and the plans and eſtimate, and ſchedule of intended tolls.

full and particular eſtimate of the expence of building the ſame, and alſo a ſchedule of the tolls intended to be raiſed, if ſuch bridge or bridges ſhould be thereafter erected in purſuance of this act.

Copy thereof affixed 10 days before ſuch aſſizes on court houſe door,

and ſerved on treaſurer and high ſheriff,

if in county *Dublin*, 10 days before preſenting term,

ſaid propoſal delivered to treaſurer, or in county of city, chief magiſtrate and ſheriffs, at next preceding aſſizes,

foreman ſhall certify grand juries conſidering and approving it.

II. And be it enacted by the authority aforeſaid, that a copy of every ſuch propoſal, eſtimate, and ſchedule of tolls ſhall be affixed ten days previous to the firſt day of ſuch aſſizes, on which the ſame are intended to be laid before the grand jury, on the door of the publick court houſe, where the aſſizes for ſuch county, or county of a city, or county of a town are uſually holden, and ſhall alſo be ſerved on the treaſurer and high ſheriff or high ſheriffs of every ſuch county, or if in the county of Dublin ten days before the firſt day of each preſenting term, the ſaid propoſal to be delivered to the treaſurer of ſaid county, or if in the county of a city on the chief magiſtrate and ſheriffs of ſuch county of a city at the aſſizes next preceding the aſſizes at which any preſentment ſhall be made purſuant; and the foreman of the grand jury at ſuch preceding aſſizes ſhall certify, that the ſaid plan, eſtimate, ſchedule of tolls, or other matters relative to building ſuch bridges, was conſidered and approved of by ſuch grand jury, in order thereby to render the notice of ſuch intended application as extenſive and general as poſſible.

Grand jury ſhall deliberate thereon, approve or reject or reduce the tolls as agreed,

if agreed on, grand jury may preſent, and judge of aſſize confirm,

ſchedule annexed to preſentment of tolls granted to the builders for ever.

III. And be it enacted by the authority aforeſaid, that any grand jury receiving ſuch propoſal, plan, eſtimate, and ſchedule of intended tolls certified as aforeſaid, ſhall deliberate upon and approve or reject the ſame, as they ſhall think proper, or make ſuch a reduction in the propoſed intended tolls, as they and the perſon or perſons preſenting ſuch propoſal or propoſals ſhall agree and determine upon; and if they as truſtees for the publick, and the perſon or perſons preſenting ſuch propoſal or propoſals, ſhall agree on the ſeveral articles of the plan, eſtimate, and tolls, that then it ſhall and may be lawful for ſuch grand jury to make a preſentment, and for the judge of aſſize to confirm the ſame, for ſuch bridge or bridges to be built as aforeſaid, and to annex to their preſentment a ſchedule of the tolls ſo agreed on to be granted to the perſon or perſons ſo building the ſaid bridge or bridges, and his, her, or their heirs and aſſigns for ever.

IV. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for any freeholder of every county, and every occupier of lands through which the approaches to the ſaid bridge are carried, and to and for any freeholder or freeman of every county of a city or county of a town, in which ſuch preſentment ſhall be ſo made, and every other perſon intereſted therein

A. D. 1779-80. Chap. 41.

Such preſentment traverſable as uſual, and tried at aſſizes, &c.

therein or to be affected thereby, if they or any of them ſhall think themſelves injured or aggrieved by erecting ſuch bridge, or making ſuch approaches thereto, or by the tolls aſcertained by ſuch preſentment, to traverſe ſuch preſentment at the aſſizes, on which ſuch preſentment ſhall be made, in the manner and under the recognizances now uſed in entering traverſes to the preſentments of grand juries; and that ſuch traverſe or traverſes ſhall be tried before one of the judges of aſſize, at the ſaid aſſizes, or if in the county of Dublin before the judges of the court of king's bench at the preſenting term, by the verdict of a petty jury, or at the next aſſizes to be holden for ſaid county or county of a city or town; and if ſuch preſentment ſhall be confirmed by the verdict of a petty jury, or that ſuch traverſe ſhall not be tried on either of the ſaid aſſizes or terms, then in either caſe ſuch preſentment ſhall be fully confirmed and eſtabliſhed; and the jury, who tries ſuch traverſe, ſhall have full power to inquire into any loſs or injury, which any individual may receive on account of erecting ſuch bridge or laying out or making the approaches thereto, and to aſcertain what may be a proper compenſation for ſuch loſs or injury; which ſum ſo aſcertained by the ſaid jury ſhall be paid to the perſon or perſons, who are to ſuffer ſuch loſs or injury.

if confirmed by verdict, or traverſe not tried fully eſtabliſhed,

compenſation for loſs or injury aſcertained by the jury, paid to the party.

No preſentment for bridge, expence whereof not 500l. nor till affidavit at aſſizes or ſeſſions by architect or one employed under him, or perſon at whoſe expence built, that the bridge is ſafe and eaſy for cattle and carriages, the expence 500l. at leaſt, ſpecifying the ſum, affidavit depoſited with clerk of crown or peace.

V. And be it enacted by the authority aforeſaid, that no preſentment ſhall be made in purſuance of this act for any bridge, the expence of erecting which ſhall not at the leaſt amount to the ſum of five hundred pounds ſterling; and that no tolls ſhall be taken for paſſing any ſuch bridge, until an affidavit ſhall be ſworn before one of the judges of aſſize, or before the juſtices of the peace at a general quarter ſeſſions of ſuch county or county of a city or town, in which ſuch bridge ſhall be ſo built, by the architect of ſaid bridge, or by ſome perſon employed under him in keeping the account of the expences of building the ſame, or by the perſon or perſons at whoſe expence ſuch bridge ſhall be ſo built, in which affidavit ſhall be ſworn, that ſuch bridge is ſo far finiſhed and compleated as to admit the ſafe and eaſy paſſage of cattle and carriages, and that the expence of building the ſame hath amounted to the ſum of five hundred pounds at the leaſt, ſpecifying the particular ſum according to the knowledge and opinion of the perſon or perſons ſo making the ſaid affidavit to which the ſaid expences ſhall have amounted, and until ſuch affidavit be depoſited with the clerk of the crown if ſworn at the aſſizes, or clerk of the peace if ſworn at the ſeſſions of

of ſuch county or county of a city or town, in which ſuch bridge ſhall be ſo built as aforeſaid.

No toll exceeding the ſums herein ſhall be preſented, the toll.

VI. And be it enacted by the authority aforeſaid, that in no caſe whatſoever ſhall any tolls be preſented by any grand jury in purſuance of this act, which ſhall exceed the following ſums reſpectively, that is to ſay, for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by ſix horſes, geldings, mares, or mules, the ſum of one ſhilling and ſix pence; for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by any leſſer number of horſes, geldings, mares, or mules than ſix, or more than two, one ſhilling; for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by two horſes, geldings, mares, or mules, ſix pence; for every carriage, commonly called a chaiſe or chair, drawn by one horſe, gelding, mare, or mule, three pence; for every waggon, wain, or car with four wheels, two ſhillings; for every waggon, wain, or car with two wheels drawn by more than two horſes, geldings, mares, mules, or oxen, one ſhilling; for every waggon, wain, or car with two wheels, drawn by two horſes, geldings, mares, mules, or oxen, ſix pence; for every car or other carriage drawn but by one horſe, gelding, mare, or mule, two pence; for every horſe, gelding, mare, mule, or aſ laden or unladen and not drawing, one penny halfpenny; for every drove of oxen, cows, or neat cattle, the ſum of one ſhilling and eight pence *per* ſcore, and ſo in proportion for any greater or leſſer number; for every drove of calves, hogs, ſheep, or lambs, the ſum of five pence *per* ſcore, and ſo in proportion for any greater or leſſer number; and for every man, woman, or child, one halfpenny.

Toll houſe and gate erected on ſuch bridge,

VII. And be it enacted by the authority aforeſaid, that on ſome part of ſuch bridge, as ſhall be built in purſuance of this act, a toll houſe and gate ſhall be erected by ſuch perſon or perſons building ſuch bridge, who ſhall at ſuch gate be intitled to receive ſuch tolls, as ſhall be agreed on, preſented and confirmed as aforeſaid, not exceeding the reſpective toll herein before ſpecially ſet forth, before the paſſage of any perſon, cattle, or carriage, through the ſaid gate; and that any perſon forcing a paſſage through ſuch gate for him or herſelf, his, or her carriage, carriages, or cattle, and not paying the due and regulated toll, may for ſuch offence be ſummoned perſonally, or by an order left at his or her uſual place of habitation with ſome perſon reſiding therein of the age of ſixteen years and upwards, at the inſtance of the owner or owners of the ſaid tolls, or of the perſon or perſons appointed by him, her, or them to receive the ſame, ten days

on forcing paſſage, ſummoned to appear in 10 days before one of next reſiding juſtices for the county, or if on the bounds, of either,

days before his appearance is required, to appear before one of the next reſiding juſtices of the peace for the county in which ſuch bridge ſhall lie, or if on the bounds of two counties then before one of the next reſiding juſtices of the peace for either county, who ſhall hear and determine the merits of the ſaid complaint in a ſummary way by the oath or oaths of one or more credible witneſs or witneſſes (which oath or oaths ſuch juſtice of the peace is hereby required and impowered to adminiſter) and to inquire into and determine any offence aforeſaid, and ſhall in the caſe of proof of ſuch outrage and forceable paſſage (whether the party complained againſt appear or not) if the ſervice of the ſummons be duly proved, adjudge the perſon or perſons guilty of the ſame to pay unto the perſon or perſons intitled to receive the ſaid toll, or the perſon or perſons by him, her, or them, impowered to collect the ſame, any ſum not exceeding ten ſhillings ſterling, with the neceſſary coſts and charges; and in caſe ſuch complaint ſhall appear groundleſs and unjuſt, then ſuch juſtice of the peace ſhall adjudge to the perſon or perſons ſo unjuſtly complained againſt any ſum not exceeding ten ſhillings ſterling, to be paid by the perſon or perſons ſo preferring the ſaid unjuſt complaint; and in either caſe the ſum ſo to be adjudged by ſuch juſtice of the peace, if not paid immediately by the perſon or perſons adjudged to pay the ſame, ſhall and may be levied by a warrant of diſtreſs under the hand and ſeal of ſuch juſtice of the peace on the goods and chattles of the perſon or perſons ſo adjudged to pay the ſame; and the goods and chattles ſo diſtrained, ſhall and may on any day after the ſpace of three days from the time of diſtraining the ſame, and within the ſpace of ten days, be publickly ſold by the perſon, to whom the ſaid warrant of diſtreſs ſhall be granted; and out of the produce thereof the ſum ſo adjudged ſhall be paid to the perſon or perſons intitled to receive the ſame; and if any overplus ſhall remain after deducting the ſaid ſum adjudged and the neceſſary coſts and charges, the ſame ſhall be paid over to the owner or owners of the goods and chattles ſo diſtrained and ſold as aforeſaid.

determined ſummarily on oath,

if proved, and ſervice, adjudged to pay not above 10s. with coſt and charges,

if complaint groundleſs, 10s. to the party,

if in either caſe not paid immediately, levied by warrant of diſtreſs,

and publick ſale after 3 and within 10 days,

overplus, deducting the ſum and charges, to owner.

VIII. And be it enacted by the authority aforeſaid, that on ſome convenient place on every ſuch bridge and near the toll gate there ſhall be affixed a board or ſtone, on which ſhall be diſtinctly painted or carved in large letters a copy of the entire preſentment of the grand jury, by virtue of which ſuch bridge ſhall be erected, and alſo of theſe hedule of tolls affixed thereunto, under the penalty of twenty ſhillings to be levied on ſuch gate keeper,

Copy of preſentment and ſchedule of tolls in large letters on a board or ſtone near the gate, penalty 20s. on gate keeper.

keeper, upon complaint made in manner aforementioned of ſuch neglect, to be levied as aforeſaid.

Tickets delivered on paſſing,

IX. And be it enacted by the authority aforeſaid, that on paſſing ſuch toll gate a proper ticket or tickets ſhall be delivered to the perſon or perſons paſſing the ſame for him her, or themſelves, his, her, or their carriages or cattle: and that if any perſon or perſons having paid the toll or duty by the preſentment founded on this act made payable, and having received ſuch note or ticket as is hereby directed, ſhall give or diſpoſe of the ſame to any other perſon or perſons to elude the juſt payment of the ſaid toll or duty, every ſuch perſon ſo giving, and every perſon ſo receiving, ſuch note or ticket, and being thereof convicted upon the oath of one or more credible witneſs or witneſſes before ſuch juſtice of the peace as aforeſaid, (which oath the ſaid juſtice of the peace is hereby empowered and required to adminiſter) ſhall forfeit the ſum of ten ſhillings ſterling, to be recovered, levied, and diſpoſed of, as any other penalties and forfeitures are directed to be recovered, levied, and diſpoſed of, by this act: provided that no perſon be obliged to pay more than once in each day for paſſing ſuch bridge to be built in purſuance of this act.

giver and receiver of ticket to elude toll, forfeit 10*s.*

payment but once a day.

No bridge within 1 mile of a ferry without conſent under hand and ſeal recited in preſentment.

X. And be it enacted by the authority aforeſaid, that no bridge ſhall be erected in purſuance of this act on any river or water within one mile of any eſtabliſhed and lawful ferry over ſuch river or water without the conſent of the owner or owners of ſuch ferry under his, her, or their hand and ſeal firſt had and obtained; and in ſuch caſe ſuch conſent ſhall be recited ſpecially in the preſentment, which ſhall be made in purſuance of this act.

If ſuch bridge in different counties, ſuch preſentment and affidavit in each.

XI. And be it enacted by the authority aforeſaid, that if ſuch bridge ſhall extend into more than one county, it ſhall be neceſſary to obtain ſuch preſentment and to make ſuch affidavit, as is herein already mentioned, in each of ſuch counties, before any toll ſhall be levied or paid in purſuance of this act.

After 41 years grand juries may redeem ſuch toll by paying in one ſum the original expence with any deficiency of intereſt,

XII. And be it enacted by the authority aforeſaid, that at any time after the expiration of forty one years from the compleating and opening of any bridge to be built in purſuance of this act it ſhall and may be lawful for the grand jury of the county, in which ſuch bridge ſhall be ſituated, or if ſituated in two counties then for the grand juries of the ſaid counties, to redeem the tolls ſo preſented as aforeſaid by paying in one ſum to the perſon or perſons, who ſhall then be the owner or owners of ſaid tolls, the original ſum expended in building ſuch bridge,

A. D. 1779-80. Chap. 41.

with any deficiency of intereſt which may ariſe, in caſe by the perception of the tolls the perſon or perſons intitled to the ſaid tolls ſhall not have received from time to time above all neceſſary coſts and charges of repair and receipt of ſaid tolls the legal intereſt at the leaſt for the money at firſt expended in building and erecting ſuch bridge; and on ſuch payment of the original ſum ſo expended, and of ſuch deficiency if any there ſhall be, then the ſaid toll ſhall ceaſe, and the paſſage of ſuch bridge ſhall be open and free to all cattle, carriages, and perſons whatſoever.

and the paſſage free.

And may preſent on county at large ſuch ſum expended with intereſt,

XIII. And be it enacted by the authority aforeſaid, that the ſaid grand jury or grand juries of the county or counties reſpectively, as the caſe may happen, may be empowered to raiſe by preſentment on ſuch county or counties at large, if they ſhall think it of advantage to the county ſo to do, ſuch ſum or ſums of money as may be ſufficient to diſcharge ſuch ſum ſo expended and diſburſed, with intereſt thereof to the perſon or perſons who have built or erected bridges, in manner as aforeſaid, ſubject to ſuch traverſes as aforeſaid.

ſubject to traverſe.

Tenants L. may conſent to erecting bridges or making approaches, under compenſations and conditions herein;

binding on remainder or reverſion.

XIV. And be it enacted by the authority aforeſaid, that all tenants for life in ſaid lands, on which any ſuch bridge or bridges ſhall be built or erected, ſhall have full power to give conſent to erect bridges, or make approaches to the ſame, under and ſubject to the compenſations, conditions, and proviſoes in this act, and that ſuch conſent ſhall be binding and concluſive upon all perſons, who may be intitled to any eſtate in remainder or reverſion.

Suits for acting laid in the county where bridge erected,

XV. And be it enacted by the authority aforeſaid, that if any ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, that in every ſuch caſe the action ſhall be brought in the county, in which ſuch bridge ſhall be erected, or if more than one county in either of ſuch counties, and not elſewhere; and the defendant or defendants in ſuch action or actions may plead the

general iſſue pleaded, and this act and ſpecial matter in evidence,

general iſſue, and give this act and the ſpecial matter in evidence at any trial to be had thereupon, and that the ſame was done in purſuance of and by the authority of this act; and if it ſhall appear ſo to be done, or ſuch action or actions ſhall be brought in any other county, that then the jury ſhall find for the defendant or defendants; and upon ſuch verdict, or if the plaintiff or plaintiffs ſhould be nonſuited, or diſcontinue his, her, or their action after the defendant or defendants ſhall have appeared, or if any demurrer or judgment ſhall be given againſt the plaintiff or plaintiffs, the defendant or defendants ſhall and may recover

and treble coſts to defendants on verdict, nonſuit, &c.

ver treble coſts, and have the like remedy for the ſame, as is by law allowed to any defendant or defendants in any caſe whatſoever. A. D. 1779-80.

CHAP. XLII.

An act for regulating the baking trade in the city of Cork.

None ſhall bake or ſell bread in *Cork* till regiſtry of name and abode in mayor's book, expreſſing time of entry.

WHEREAS it is highly neceſſary to regulate the manufacture of bread in the city of Cork, and to prevent the many unfair practices made uſe of in carrying on ſaid buſineſs, to the great oppreſſion of the poor; for remedy whereof be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of September one thouſand ſeven hundred and eighty no perſon ſhall make or bake for ſale, or ſell or expoſe to ſale, any bread within the ſaid city or the liberties thereof, unleſs ſuch perſon ſhall firſt regiſter his or her name and place of abode in ſome book to be kept for that purpoſe by the mayor of the ſaid city, in which entries ſhall be alſo expreſſed the reſpective times of making ſuch entries.

Oath before mayor previous to regiſtry.

II. And be it enacted by the authority aforeſaid, that no perſon ſhall be regiſtered in the manner herein before directed, unleſs he or ſhe ſhall ſwear, or being of the people called quakers affirm, in the following manner, that is to ſay,

I A. B. *do ſwear, (or ſolemnly affirm as the caſe ſhall require) that I will not enter into any unlawful combination whatſoever to raiſe the price of bread, or of corn, meal, or flour, or into any unlawful combination not to bake; and that I will not knowingly make, bake, or ſell, or permit to be made, baked, or ſold, for my uſe any bread, in which any other ingredient or mixture ſhall be put, ſave only the genuine flour or meal of the grain, and ſalt, water, and barm or yeaſt, or eggs, or milk.*

which oath the mayor of the ſaid city is empowered and required to adminiſter.

Baking or ſelling without ſuch regiſtry and affidavit, to forfeit, 5l. to the work houſe,

III. And be it enacted by the authority aforeſaid, that if any perſon do or ſhall from and after the time aforeſaid make or bake for ſale, or ſell or expoſe to ſale, any bread within the ſaid city or liberties without having been regiſtered, and having taken

A. D. 1779-80. Chap. 42.

taken the oath or made the affirmation as herein before directed, he, ſhe, or they ſo offending therein, and being thereof convicted in manner herein after mentioned, ſhall for every ſuch offence forfeit the ſum of five pounds, to be paid over to the governors of the work houſe of the ſaid city, together with the forfeiture of the bread ſo made or baked for ſale, or ſold or expoſed to ſale by ſuch perſon, not being regiſtered or not having taken the oath or made the affirmation aforeſaid; and which bread the mayor of the ſaid city, or any one or more of the market jury of the ſaid city, are hereby empowered to ſeize; which ſaid bread ſhall be given to the poor of the pariſh, wherein the ſame ſhall be ſeized.

and the bread ſeized and given to pariſh poor.

None except common baker regiſtered and taking the oath, ſhall ſell any bread, except rolls,

penalty on ſeller and baker reſpectively 2s. 6d.

to informer and poor.

IV. And be it enacted by the authority aforeſaid, that no perſon except a common baker, who ſhall be regiſtered, and ſhall take the oath or make the affirmation aforeſaid, ſhall expoſe to ſale in the ſaid city of Cork, or the ſuburbs or liberties thereof, any bread, except halfpenny and penny rolls, on pain that ſuch perſon, and the baker employing ſuch perſon to ſell ſuch bread, ſhall reſpectively forfeit two ſhillings and ſix pence for each offence, to be recovered as other forfeitures in this act, one moiety to the informer and the other to the poor of the pariſh.

Bakers of white, wheaten, or houſehold ſhall mark the baker's name & number of pounds on every loaf,

if not ſo marked, or if deficient by aſſize 1 *G.* 2. c. 16. puniſhed as in ſaid act where deficient,

V. And be it enacted by the authority aforeſaid, that every perſon or perſons, who ſhall, from and after the time aforeſaid make or bake for ſale, or ſell or expoſe to ſale, within the ſaid city or the liberties thereof any ſort of white, wheaten, or houſhold bread, ſhall from time to time cauſe to be fairly imprinted or marked on every loaf of ſuch bread the name of the baker of ſuch bread, and alſo the number of pounds ſuch loaf ſhall weigh; and that every perſon, who ſhall ſo make or bake for ſale, or ſhall ſell or expoſe to ſale, any loaf or loaves of white, wheaten, or houſehold bread, which ſhall not be ſo marked as aforeſaid, or ſhall make, ſell, or expoſe to ſale, any bread deficient in weight according to the aſſize of bread preſcribed by an act paſſed in this kingdom in the firſt year of George the ſecond, entitled, *an act for regulating the price and aſſize of bread and the markets*, ſhall in either of ſaid caſes upon conviction thereof according to the methods preſcribed by ſaid act be puniſhed in ſuch manner and under ſuch penalties, regulations, and allowances, as are ſet forth in ſaid act in caſes, where bread is deficient in weight.

If real baker's name not ſo marked forfeit 20s.

VI. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall after the time aforeſaid make or bake

for ſale, or ſell or expoſe for ſale, within the ſaid city or liberties any loaf of ſuch white, wheaten, or houſehold bread, on which the real name of the perſon, who baked ſuch loaf or loaves, ſhall not be marked as aforeſaid, he, ſhe, or they ſo offending in the premiſſes, and being thereof convicted in the manner herein mentioned, ſhall forfeit for every ſuch offence the ſum of twenty ſhillings, to be recovered and applied as is herein mentioned.

Bread not ſo marked may by day be ſeized by perſons authorized, and carried to the mayor,

VII. And be it enacted by the authority aforeſaid, that from and after the time aforeſaid it ſhall and may be lawful for any perſon, lawfully authorized to do the ſame, in the day time to ſeize and take away every loaf of ſuch white, wheaten, or houſhold bread, which ſhall at any time or times be found not marked as herein before directed, and to carry the ſame before the ſaid mayor; and if he ſhall find ſuch bread not marked according to the directions herein before mentioned, then and in every ſuch caſe all ſuch bread not ſo marked ſhall be forfeited, and the ſame ſhall be given away to the perſons ſeizing and informing, or to and amongſt the poor of the pariſh in which the ſame ſhall be ſeized, or in ſuch other manner as the magiſtrate ſhall adjudge the ſame to be forfeited ſhall direct.

if ſo found forfeited to ſeizor, or the poor, or as by the magiſtrate directed.

Mayor, or one of market jury, may by day enter baker's houſe, &c. and ſearch ingredients, and weigh and try the bread,

VIII. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid mayor, or for any one of the market jury of ſaid city at all times hereafter in the day time to enter into any houſe, outhouſe, ſhop, or other place belonging to any perſon who ſhall make or bake for ſale or who ſhall ſell any bread, and there to ſearch into the ingredients, which they ſhall find any ſuch perſon uſing in making bread, or which he hath uſed in making bread, and to view, weigh, and try all bread, which ſhall on any ſuch ſearch be found; and if on ſuch ſearch any dough or bread ſhall be found, in which any ſuch ingredients not herein allowed to be uſed ſhall be made uſe of, then and in every ſuch caſe it ſhall and may be lawful to and for the ſaid mayor or any of the ſaid market jury to ſeize ſuch ingredients, dough, and bread, and for the mayor of the ſaid city to diſpoſe of the ſame in ſuch manner, as he ſhall think fit, and alſo to commit ſuch perſon or perſons, in whoſe cuſtody they ſhall find ſuch ingredients, dough, or bread, to the common gaol, there to remain without bail or mainprize ſuch number of days not exceeding twenty days, as the ſaid mayor according to his diſcretion ſhall think fit to order and direct.

if ſuch as not allowed are uſed, ſeized, and diſpoſed of by mayor,

and perſons, in whoſe cuſtody, impriſoned not above 20 days.

Obſtructing ſearch, forfeit 5l. to work houſe.

IX. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall wilfully oppoſe, reſiſt, hinder, or obſtruct any ſuch ſearches as aforeſaid, he, ſhe, or they ſo offending there-

in, and being thereof convicted in manner herein mentioned, ſhall for every ſuch offence forfeit the ſum of five pounds, to be recovered in the manner herein directed, and to be paid to the governors of the ſaid work houſe for the uſe of the ſame.

Forfeitures, except otherwiſe provided, recovered on conviction before mayor,

levied by diſtreſs on his warrant,

diſtributed to the poor.

X. And be it enacted by the authority aforeſaid, that the ſeveral penalties and forfeitures herein before mentioned, except in ſuch caſes as it is herein before otherwiſe provided, ſhall be recovered upon conviction by the confeſſion of the party, or by the oath, or if the perſon be of the people called quakers, by the affirmation of one or more witneſs or witneſſes before the ſaid mayor, to be levied by way of diſtreſs upon the goods and chattles of every ſuch offender by warrant from the ſaid mayor, returning the overplus; the ſaid forfeitures to be diſtributed amongſt the poor in ſuch manner as the ſaid mayor ſhall direct.

Proſecution in 3 months.

XI. Provided always, that no perſon ſhall be proſecuted for any offence committed againſt this act, unleſs ſuch proſecution ſhall commence within three calendar months after ſuch offence committed.

French rolls baked & ſold as uſual.

XII. Provided alſo, that nothing herein contained ſhall prohibit the baking or ſelling of French penny and halfpenny rolls in ſuch manner, as has been accuſtomed.

Defendant may plead general iſſue, and give ſpecial matter in evidence, and recover treble coſts.

XIII. And be it enacted by the authority aforeſaid, that any perſon, ſued for any thing done in execution of this act, may plead the general iſſue, and give the ſpecial matter in evidence; and if a verdict ſhall paſs for the defendant, or the plaintiff non-ſuited, or judgment ſhall paſs for the defendant in ſuch ſuit, he ſhall recover treble coſts.

Continued 2 years from 1ſt of *Sept.* 1780, and to end of next ſeſſion.

XIV. And be it enacted by the authority aforeſaid, that this act ſhall continue for two years from the firſt of September one thouſand ſeven hundred and eighty, and from thence to the end of the then next ſeſſion of parliament, and no longer.

CHAP.

A. D.
1779-80.

CHAP. XLIII.

An act for continuing, altering, amending, and making more effectual an act of parliament made and paſſed in the ſeventeenth and eighteenth years of the reign of his preſent Majeſty, entitled, *An act for continuing and amending an act paſſed in the fifteenth and ſixteenth years of the reign of his preſent Majeſty*, entitled, *An act for continuing an act paſſed in the ſeventh year of the reign of his late Majeſty king George the ſecond*, entitled, *An act for making more effectual an act paſſed in the third year of the reign of his late Majeſty king George the ſecond*, entitled; *An act for repairing the road leading from the city of Dublin to the town of Navan in the county of Meath, and for repairing the road leading from the ſaid town of Navan to the town of Nobber in the ſaid county; and alſo for repairing the road leading from the ſaid town of Navan to the town of Kells in the ſaid county.*

Recital of 3 *G.* 2. c. 19.

WHEREAS by an act of parliament paſſed in the third year of the reign of his late Majeſty king George the ſecond, entitled, *An act for the repairing the road leading from the city of Dublin to the town of Navan in the county of Meath*, ſeveral tolls and duties were granted and made payable for repairing the ſaid road, which ſaid act took place and commenced the tenth day of May in the year of our lord one thouſand ſeven hundred and thirty, and from thence continued in force for and during the term of twenty one years: and whereas by another act paſſed in the ſeventh year of the reign of his ſaid late Majeſty king George the ſecond, entitled, *An act for making more effectual an act paſſed in the third year of the reign of his ſaid Majeſty king George the ſecond*, entitled, *An act for repairing the road leading from the city of Dublin to the town of Navan in the county of Meath, and for repairing the roads leading from the ſaid town of Navan to the town of Nobber in the ſaid county, as alſo for repairing the road leading from the town of Navan to the town of Kells in ſaid county*, it was amongſt other things enacted, that the ſaid act, made in the third year of his ſaid late Majeſty's reign, and all and every the powers and authorities therein contained (except what was thereby altered) ſhould be of full force and effect, and ſhould continue from and and after the expiration of the ſaid term of twenty one years for and during the further term of twenty four years and from thence to the end of the then next ſeſſion of parliament: and whereas by an act of parliament paſſed in

7 *G.* 2. c. 22.

A. D. 1779-80. Chap. 43.

in the fifteenth and ſixteenth years of the reign of his preſent Majeſty king George the third, entitled, *An act for continuing an act paſſed in the ſeventh year of his ſaid late Majeſty king George the ſecond*, entitled, *An act for making more effectual an act paſſed in the third year of the reign of his ſaid Majeſty king George the ſecond*, entitled, *An act for repairing the road leading from the city of Dublin to the town of Navan in the county of Meath, and for repairing the roads leading from the ſaid town of Navan to the town of Nobber in the ſaid county, as alſo for repairing the road leading from the ſaid town of Navan to the town of Kells in the ſaid county*, it was enacted, that the ſaid recited acts, and the powers and authorities therein contained, ſhould have continuance and be executed from and after the expiration of the ſaid terms of twenty one years and twenty four years for and during the further term of two years, and from thence to the end of the then next ſeſſion of parliament: and whereas by another act of parliament paſſed in the ſeventeenth and eighteenth years of the reign of his preſent Majeſty king George the third, entitled, *An act for continuing and amending an act paſſed in the fifteenth and ſixteenth years of the reign of his preſent Majeſty*, entitled, *An act for continuing an act paſſed in the ſeventh year of the reign of his late Majeſty king George the ſecond*, entitled, *An act for making more effectual an act paſſed in the third year of the reign of his ſaid late Majeſty king George the ſecond*, entitled, *An act for repairing the road leading from the city of Dublin to the town of Navan in the county of Meath, and for repairing the roads leading from the ſaid town of Navan to the town of Nobber in the ſaid county, as alſo for repairing the road leading from the ſaid town of Navan to the town of Kells in the ſaid county*, it was enacted, that the ſaid ſeveral herein before recited acts, and every power and authority therein contained, ſhould be of full force and effect from and after the end of the then preſent ſeſſion of parliament for and during the further term of one year, and until the end of the then next enſuing ſeſſion of parliament, excepting ſuch parts of the ſaid acts as did relate to the roads leading from Navan to Nobber, and from Navan to Kells, in the ſaid county of Meath: and whereas it was enacted by the ſaid recited act paſſed in the ſeventh year of the reign of his ſaid late Majeſty king George the ſecond, that the then truſtees, and the ſurvivors and ſurvivor of them, and thoſe perſons who ſhould thereafter be choſen truſtees by virtue of the ſaid act, were and ſhould be nominated and appointed truſtees for the better ſurveying, ordering, amending, and keeping in repair the ſeveral roads aforeſaid, leading from the

15 & 16 G. 3. c. 37.

17 & 18 G. 3. c. 37.

the city of Dublin to the town of Navan, and alſo the road leading from the ſaid town of Navan to the town of Kells, and alſo the road leading from the ſaid town of Navan to the town of Nobber in the ſaid county of Meath, and for putting all other the powers in execution by that and the former act given for the better amending and repairing the ſaid roads; and that the ſaid truſtees, or any five or more of them, or ſuch perſon or perſons as they or any five or more of them ſhould authorize and appoint, ſhould and might erect, or cauſe to be erected, one or more turnpike or turnpikes, and toll houſe and toll houſes, and one or more gate or gates, on any croſs road or roads on each of the ſaid roads leading from the ſaid town of Navan to the town of Kells, and from the ſaid town of Navan to the town of Nobber aforeſaid, and ſhould there take and receive the tolls and duties in ſaid act particularly ſpecified and ſet forth: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the ſaid truſtees, and thoſe perſons who ſhall be appointed truſtees by virtue of the ſaid recited acts and of this act, ſhall be truſtees for the better ſurveying and altering, and repairing the road leading from the city of Dublin to the town of Navan, and for that road only, and not for the road leading from the town of Navan to the town of Kells, or from the town of Navan to the town of Nobber; and that they or any of them ſhall not have power to erect, or to authorize any perſon or perſons to erect or cauſe to be erected, one or more turnpike or turnpikes, or one or more toll houſe or toll houſes, or one or more gate or gates, on any croſs road or roads on either of the ſaid roads leading from the ſaid town of Navan to the town of Kells or Nobber reſpectively, and that they ſhall not take or receive the tolls or duties in the ſaid act ſpecified and particularly therein ſet forth, or any toll upon any part of ſaid road leading from Navan to Kells, or Navan to Nobber; and that the ſaid former recited acts and each of them, and all and every the powers therein contained, ſo far as they relate to the ſaid road from Navan to Kells, and from Navan to Nobber, be and are hereby repealed, and declared null and void to all intents and purpoſes.

Recital of 3 *G.* 2. *c.* 19. 7 *G.* 2. *c.* 22. 15 & 16 *G.* 3. *c.* 37. 17 & 18 *G.* 3. *c.* 37.

the truſtees by ſaid acts and this act ſhall be truſtees only for the road from *Dublin* to *Navan*,

and not from *Navan* to *Kells* or *Nobber*,

ſo far as they relate to which ſaid acts repealed.

II. And whereas it is found by experience, that the tolls and duties granted and made payable by the ſaid ſeveral recited acts have not been ſufficient to pay the intereſt of the debts contracted for making the ſaid road, or to keep the ſame in ſufficient order or repair, and to pay the other neceſſary expences attending

A. D. 1779-80. Chap. 43.

the ſame; and that notwithſtanding the expenditures of conſiderable ſums laid out thereupon the ſaid road is not in good ſufficient repair for travelling thereon, and therefore that it is expedient and proper for the good of the community to make the ſeveral additions and proviſions herein after mentioned for the more effectually amending and repairing the ſaid road, and keeping the ſame in good order and repair, and for the better ſecuring the debts now due or which ſhall hereafter become due on account of the ſaid roads for the honeſt and fair creditor, and for defraying the other neceſſary expences attending and incident thereto: be it enacted by the authority aforeſaid, that the ſaid ſeveral herein before recited acts of parliament, and all and every the authorities, powers, rules, penalties, clauſes, and conditions therein contained (except what are hereby changed and altered) ſo far as the ſame relate to the road leading from the city of Dublin through Stoneybatter, Caſtleknock, Clonee, Dunſhaghlin, Hill of Tarra, to the town of Navan ſhall be of full force and effect, and ſhall continue and be executed from and after the end of this preſent ſeſſion of parliament, for and during the further term of thirty one years, and from thence to the end of the then next ſeſſion of parliament for the intents and purpoſes in the ſaid recited acts, and of thoſe herein after mentioned and excepted; and that the ſaid recited acts, and all the powers and authorities therein and thereby granted and given, ſhall from the firſt day of Auguſt one thouſand ſeven hundred and eighty extend to the repairing and amending, and keeping in repair, the ſaid road leading from the city of Dublin to the town of Navan, and no other road, as if the ſame powers and authorities granted and given by the ſaid acts, or any of them, were herein again repeated and re-enacted in this preſent act; any thing in the ſaid ſeveral recited former acts contained to the contrary notwithſtanding.

Said recited (ſave as altered) ſo far as relates to the road from *Dublin* to *Navan*, continued 31 years, and to end of then next ſeſſion,

and from 1ſt Auguſt 1780 ſhall extend to repairing road from *Dublin* to *Navan*, and no other, as if herein repeated.

III. And to the end aforeſaid be it further enacted by the authority aforeſaid, that the perſons nominated and appointed in and by virtue of the ſaid recited acts and the perſons who have been occaſionally from time to time elected truſtees in the room of thoſe, who died or were removed, purſuant to the power of election in ſaid recited acts, and thoſe perſons herein after named, viz. the earl of Weſtmeath, earl Roſs, lord viſcount Boyne, Arth. Plunket commonly called earl Fingall, Jenicho Preſton commonly called lord viſcount Gormanſtown, honourable Guſtavus Hamilton, honourable George Plunket commonly called lord Killeen, ſir Edward Newenham, knight, honourable George

Nugent commonly called lord Delvin, Joſeph Deane eſquire, honourable Robert Rochfort, George Rochfort eſquire, right honourable William Burton, right honourable James Forteſcue, right honourable Theophilus Clements, right honourable John Foſter, reverend William Foſter, Thomas Chapman eſquire, John Finlay eſquire, William Finlay eſquire, John Godley eſquire, Robert Wade eſquire, Michael Daniel eſquire, Robert Tighe eſquire, Daniel Tighe eſquire, James O'Reilly eſquire, Thomas O'Reilly eſquire, Luke Gardiner eſquire, James Wilſon eſquire the younger, honourable the biſhop of Leighlin and Ferns, John Dillon eſquire, Ulick Allen eſquire, Francis Hopkins eſquire, Francis Lowndes eſquire, William Webb eſquire, Charles Lambert eſquire, James Dutton eſquire, Joſeph Preſton eſquire, the reverend Richard Godley, George Montgomery eſquire, Sir James Somerville baronet, Thomas Neſbit eſquire, John Forbes eſquire, Walter Evans eſquire, Guſtavus Hume eſquire, William Colville, eſquire, Hugh Bowen eſquire, Hugh Wilſon eſquire, William Smyth eſquire, Mark Synnot eſquire, Ralph Smyth eſquire, William Thomas Smyth eſquire, Sydenham Singleton eſquire, John Bolton eſquire, John Tandy eſquire, George Paul Monck eſquire, William Somerville eſquire, Henry Cope eſquire, ſir Michael Cromie, baronet, Robert Forde eſquire, Gilbert King eſquire, John Wallis eſquire, John Lowther eſquire, captain Evans, Charles Hamilton eſquire, Edward Jones eſquire, Samuel Foſter eſquire, John Leigh eſquire, Hugh Reilly eſquire, reverend William Gruebere, the reverend doctor Woodward, Thomas Trotter eſquire, Henry Sandford eſquire, the younger, Phillip Batty eſquire, Henry Wood eſquire, John Steer eſquire, Hartcourt Lightburne eſquire, the right honourable Thomas Conolly, Laurence Harman Harman eſquire, reverend Nathaniel Preſton, colonel Arthur Preſton, Robert Percival eſquire, Robert Reynel eſquire, William Naper eſquire, reverend George Lambart, the honourable and reverend Thomas Stanford, the right honourable lord Farnham, the right honourable lord Headfort, the honourable Clotworthy Rowley, the honourable Hercules Rowley, the honourable Hercules Langford Taylor, the honourable John James Barry Maxwell, Benjamin Chapman eſquire, William Chapman eſquire, the reverend dean Richard Moore, and Mr. Patrick McLoughlin, ſhall be the truſtees for putting the ſaid ſeveral recited former acts and this preſent act into execution, and all the powers and authorities therein and herein given and enacted (ſave only ſuch powers as are by this act repealed) to all intents and purpoſes, as if they had been named in this preſent act,

Perſons appointed and elected by virtue of ſaid acts, and herein named ſhall be truſtees,

A. D. 1779-80. Chap. 43.

act, with the like power of electing truſtees upon the ſame occaſions and events during the continuance of this act as is given to the truſtees in the former recited acts and in this preſent as if the ſame were herein particularly ſet forth and mentioned: provided that at every election to be had for truſtees or any truſtee there be ſeven or more attending truſtees, otherwiſe the election ſhall be null and void.

with like powers to elect occaſionally 7 being preſent,

7 truſtees may erect turnpikes, and take toll inſtead of the former,

IV. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, or ſuch perſon or perſons as they or any ſeven or more of them ſhall authorize and appoint, from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty to erect or cauſe to be erected one or more gate or gates, turnpike or turnpikes, in, upon, or acroſs any part or parts of ſaid highways or roads between the city of Dublin through Stoney-batter, Caſtleknock, Clonee, Dunſhaghlin, Hill of Tarra to the town of Navan, and alſo a toll houſe or toll houſes, and alſo to erect or cauſe to be erected one or more gate or gates, turnpike or turnpikes, on the ſide of the ſaid highways or roads acroſs any way or lane leading out of the ſaid road or any part thereof from the city of Dublin to the town of Navan through the reſpective places aforeſaid, as alſo a toll houſe or toll houſes, and there and from thenceforth during the continuance of the ſaid former acts and of this preſent act, inſtead of the uſual and accuſtomed tolls and duties, hitherto paid and made payable by the ſaid recited former acts or any of them, ſhall receive and take the tolls and duties following, before any horſe, mare, gelding, aſs, or mule, cattle, coach, berlin, chariot, calaſh, chaiſe, chair, cabriole, waggon, wain, cart, carr, or other carriage ſhall be permitted to paſs through the ſame; that is to ſay, for every coach, berlin, chariot, chaiſe, or chair drawn by ſix horſes, geldings, mares, or mules, one ſhilling and ſix pence; and for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by four horſes, geldings, mares, or mules, one ſhilling; and for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by two horſes, geldings, mares, or mules, ſix pence halfpenny; for every waggon, wain, cart, or carriage with four wheels with two or more horſes, geldings, mares, or mules, five ſhillings; for every waggon, wain, cart, or carriage with two wheels drawn by two horſes, geldings, mares, mules, or beaſts of burthen, ſix pence; and for every waggon, wain, cart, or carriage with two wheels drawn by three or more horſes, geldings, mares, or mules, two ſhillings and ſix pence; for every carriage commonly called a chaiſe or chair or capriole drawn by one horſe,

the toll,

horſe, gelding, mare, or mule four pence; for every cart with one horſe, gelding, mare, or mule with one pair of wheels, two pence; for every car with one horſe, mare, mule, or gelding three halfpence; for every horſe, gelding, mare, mule, or aſs, laden or unladen, one penny; for every drove of oxen, cows, bulls, or bullocks, one ſhilling and four pence *per* ſcore, and ſo in proportion for any greater or leſſer numer; and for every drove of calves, hogs, ſheep, or lambs, eight pence by the ſcore, and ſo in proportion for any greater or leſſer number; and for every carriage whereon any mill ſtone ſhall be borne or carried two ſhillings, and two or more cars bound together carrying timber or otherwiſe with two or more horſes, geldings, mares, or mules, to pay the ſum of three ſhillings; and every car with Kilkenny coals, not having their wheels reſpectively of the breadth of three inches, to pay from the time aforeſaid as any other car notwithſtanding any exemption or privilege for any ſuch in any of the ſaid recited former acts ſpecified and contained; and in caſe the wheels of ſuch cars carrying Kilkenny coal as aforeſaid ſhall be made of the breadth above required, then and in ſuch caſe all ſuch cars to paſs free, and be exempt from paying any toll or duty whatſoever upon any part of the ſaid road.

Said tolls veſted in ſaid truſtees,

V. And be it further enacted by the authority aforeſaid, that the ſaid reſpective ſum and ſums of money ſhall be demanded and taken reſpectively in the name of or as a toll or tolls; and that the money thereby to be raiſed and collected at the ſeveral gates erected or to be erected by virtue of the ſaid recited acts or this act ſhall and are hereby declared to be veſted in the ſaid truſtees, ſubject and liable nevertheleſs to the payment of the money heretofore borrowed upon the credit of ſaid road, and ſtill due, amounting to the ſum of eleven thouſand pounds or thereabouts, with intereſt thereon now or hereafter to grow due for the ſame; and ſubject alſo to any further or future ſum of money that ſhall or may be raiſed and borrowed by ſaid truſtees for the uſes of and towards repairing the ſaid road, and the other neceſſary expences attending the ſame; and the ſaid tolls, and that every part thereof ſhall be paid, applied, diſpoſed of, and aſſigned to and for the ſeveral uſes, intents, and purpoſes, and in ſuch manner, as is herein after and in the ſaid ſeveral recited former acts mentioned and directed.

ſubject to 11000l or thereabout formerly borrowed and ſtill due, and intereſt, and ſums to be borrowed, and expences, and applied to uſes herein and in ſaid acts.

7 truſtees may on refuſal levy by diſtreſs, and ſale in 4 days,

VI. And be it enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, be hereby impowered by themſelves or any perſon or perſons by them or any ſeven or more of them under their hands and ſeals authorized, to levy the ſeveral and reſpective tolls by this act laid upon any perſon

A. D. 1779-80. Chap. 43.

or perſons, who ſhall after demand made thereof at any of the ſeveral and reſpective gates, already erected or to be hereafter erected by virtue of this act or the former recited acts between Dublin and Navan, neglect or refuſe to pay the ſame, by diſtreſs of any horſe or horſes, or other cattle whatſoever, or goods, upon which ſuch toll or duty is by this act or the recited acts impoſed, or upon any of the goods or chattles of ſuch perſon or perſons who ought to pay the ſame, and may retain and keep the ſame, until ſuch toll with the reaſonable charges of ſuch diſtraining and detaining ſhall be paid; and that it ſhall and may be lawful to and for the perſon or perſons ſo diſtraining after the ſpace of four days after ſuch diſtreſs made and taken to ſell the ſaid cattle or goods ſo diſtrained, returning the overplus, if any be, upon demand to the owner or owners thereof, after ſuch toll and reaſonable charges for diſtraining and keeping the ſame ſhall be deducted and paid.

Expences of this act firſt paid;

VII. Provided always, and be it further enacted by the authority aforeſaid, that out of the money and tolls to be collected by virtue of this act, that all ſuch coſts and expences, that ſhall have incurred and become due in procuring and paſſing this preſent act, ſhall be firſt diſcharged and paid; and from and after the payment thereof that then and from thenceforth the profits ariſing, and the toll to be collected at any of the turnpikes or gates already erected or to be erected on the ſaid road, leading from the city of Dublin to the town of Navan as aforeſaid, ſhall be applied for and towards the compleat and effectual repair of ſaid road, and the other neceſſary expences attending the ſame, and then to the payment and diſcharge of the intereſt of the ſaid ſum of eleven thouſand pounds, ſo advanced by the reſpective creditors of the ſaid turnpike road leading from the city of Dublin to the town of Navan, and all arrears thereof, upon the credit of the tolls eſtabliſhed by the ſaid ſeveral recited former acts; and that then and not ſooner the profits ariſing by ſaid toll, and all ſuch ſum or ſums of money as ſhall be hereafter borrowed upon the credit of ſaid tolls and duties, ſhall and may be diſtributed and paid impartially and without preference to each creditor towards the diſcharge of intereſt proportionably to his or her principal ſum ſo lent or hereafter to be lent and advanced on the credit of ſaid tolls, not to exceed the rate of ſix pounds ſterling by the hundred.

then to repair of the road and expences,

then to intereſt of ſaid 11000l.

then to each creditor without preference, to diſcharge intereſt at 6 *per cent.*

VIII. And whereas by the ſaid recited act of the ſeventeenth and eighteenth years of the reign of his preſent Majeſty the ſaid roads leading from the town of Navan to the town of Nobber, and from the ſaid town of Navan to the ſaid town of Kells, in the

ſaid laſt and in the ſaid ſeveral other former recited acts particularly mentioned, were diſcontinued, and have ever ſince ceaſed to be deemed, taken, or conſidered as publick turnpike roads in any manner whatſoever; and it being now thought expedient and adviſeable for the more effectually carrying into execution the ſeveral purpoſes and intentions of the ſaid ſeveral former recited acts and of this preſent act, that the ſaid road, as herein before particularly deſcribed, leading from the city of Dublin to the town of Navan, ſhould be made into two diviſions: therefore be it further enacted by the authority aforeſaid, that the ſaid road leading as aforeſaid from the city of Dublin to the town of Navan ſhall be divided into two parts or diſtricts, as follows, that is to ſay, that ſo much of the ſaid road, as reaches from Stoneybatter aforeſaid to the Black Bull Inn adjoining the turn of the road to Trim, ſhall hereafter be known and diſtinguiſhed by the name of the ſouthern diviſion of the ſaid road; and ſo much thereof, as reaches from the Black Bull Inn aforeſaid, in and to the town of Navan, ſhall hereafter be diſtinguiſhed and known by the name of the northern diviſion of the ſaid road.

Divided into northern and ſouthern.

IX. And whereas there is a proviſoe in the firſt recited act paſſed in the third year of his late Majeſty king George the ſecond, that in caſe there ſhould be more than one gate or turnpike in, croſs, or on the ſide of the ſaid highway or road between the ſaid city of Dublin and the ſaid town of Navan, no perſon or perſons, who ſhould have paid the toll or duty at the firſt gate or turnpike, through which ſuch perſon or perſons ſhould paſs, and who ſhould produce a note or ticket, that the ſaid toll or duty had been paid, ſhould be liable to pay any toll or duty at any other of the ſaid gates or turnpike upon or on the ſide of the ſaid highway or road, who ſhould deliver the ſaid note or ticket to the receiver or receivers, collector or collectors, of the toll or duty at the latter gate or turnpike the ſame day: be it enacted by the authority aforeſaid, that the ſaid clauſe be repealed, and declared null and void.

3 G. 2. c. 19. ſ. 10. repealed.

X. And be it enacted by the authority aforeſaid, that from and after the ſaid firſt day of Auguſt one thouſand ſeven hundred and eighty every perſon ſhall pay the ſeveral and reſpective tolls, herein before particularly mentioned and appointed, at the firſt gate that he, ſhe, or they ſhall paſs through in any one of the ſaid reſpective diviſions; and if he, ſhe, or they ſhall in the ſame day travel or paſs over more of the ſaid road, than is contained in any one of the ſaid diviſions as before deſcribed and mentioned

Payment at 1ſt gate,

and twice in the day, if more than in one diviſion paſſed over.

A. D. 1779-80. Chap. 43.

mentioned, then and in every ſuch caſe ſuch perſon or perſons ſhall pay the ſaid reſpective tolls and duties twice in the ſame day, it being the true intent and meaning of this act, that the payment of tolls at any of the gates or toll houſes on the ſouthern diviſion ſhall not be an exemption from the payment of toll in the northern diviſion, and that the payment of tolls at any of the gates or toll houſes on the northern diviſion ſhall not be an exemption of payment of toll in the ſouthern diviſion of ſaid road; and that no perſon or perſons after the time aforeſaid ſhall travel over or paſs in one and the ſame day more of the ſaid road, than is contained in any one of the foregoing diviſions, without being compelled or compellable as aforeſaid and obliged to pay the ſaid reſpective toll twice the ſame day.

But once a day in one diviſion,

XI. Provided always, and be it further enacted by the authority aforeſaid, that from and after the time aforeſaid no perſon or perſons ſhall be obliged to pay any of the ſaid tolls and duties more than once in the ſame day within any one of the ſaid diviſions of the ſaid road, but that every perſon having paid the ſaid toll or duty, as hereby laid and impoſed, at any one of the gates erected or to be erected between the city of Dublin and the Black Bull Inn aforeſaid, on producing a note or ticket thereof ſhall be permitted to paſs free through all the other ſeveral gates within the ſaid diviſion any time during the day, in which he has once paid the ſaid toll or duty as aforeſaid, or on which the ſaid ticket bears date, and ſo in like manner every perſon having paid the ſaid toll or duty at any one of the gates on the ſaid road between the ſaid Black Bull Inn and to the ſaid town of Navan, called the northern diviſion of ſaid road, ſhall on produeing ſuch ticket be admitted to paſs free through all the ſeveral gates now or hereafter to be erected within the ſaid diviſion; which ſaid ticket or note the receiver or receivers, collector or collectors, at any of the ſaid gates within either or any of the ſaid diviſions are to give at the time of payment for the ſame gratis.

tickets given gratis.

XII. And whereas there is a power in the ſaid firſt recited act of the third year of his ſaid late Majeſty for the ſurveyor or ſurveyors, or ſuch perſons as he or they ſhall appoint, to dig, raiſe, and carry away any gravel, furze, ſand, ſtones, or other materials in any grounds of any perſon or perſons whatſoever, except as therein excepted, for the purpoſes therein mentioned, paying to the owner or occupier of ſuch grounds for the value thereof, and making reaſonable compenſation for any damage done thereby to ſuch owner or occupier; but it has been found, that

that as no penalty is inflicted by the ſaid act for refuſing to permit the ſaid materials to be uſed and carried away for the purpoſes aforeſaid, particularly the digging for and raiſing gravel; that ſome perſons have taken advantage thereof and have refuſed to permit the ſaid truſtees or their ſurveyor to take away the ſame for the uſe of ſaid road, which hath ſometimes been attended with inconvenience: therefore be it enacted by the authority aforeſaid, that from and after the ſaid firſt day of Auguſt one thouſand ſeven hundred and eighty that any perſon or perſons, who ſhall refuſe, hinder, or prevent any ſeven or more of the ſaid truſtees, or their ſurveyor or ſurveyors, from entring upon any ſuch grounds, as therein deſcribed and mentioned, and therein or thereon to dig, raiſe, gather, take, and carry away any gravel, furze, ſand, ſtones, or other materials, for the purpoſes and under the conditions therein mentioned, ſuch perſon or perſons ſhall forfeit and pay for every ſuch offence the ſum of twenty pounds, to be levied by diſtreſs or ſale of the goods of ſuch offender, or of ſuch owner or occupier of ſuch ground or land, by the warrant of any two of his Majeſty's juſtices of the peace for the county, in which ſuch offence ſhall be committed, upon conviction on the oaths of any ſeven of the ſaid truſtees or of their ſurveyor or ſurveyors as aforeſaid.

Refuſing entrance to raiſe and carry away materials, as by 3 G. 2. c. 19. ſ. 6. forfeit 20l.

XIII. And whereas great part of the road lying between Clonee and the Black Bull is in winter ſeaſons overflowed by the river, which runs from the bridge on the Trim road near the Black Bull to the bridge of Mulhuddard, occaſioned by the bank which dams in the ſaid river being broken and worn away in ſeveral places, and by the bed and ſides of ſaid river not being kept clean or open by the owners or occupiers of the lands through which the ſaid river runs as aforeſaid, by means whereof the ſaid part of the road is greatly damaged, and the gravel ſwept off the ſame, and the road thereby rendered unſafe and dangerous to travellers: wherefore be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſurveyor or ſurveyors, appointed in virtue of the powers and purſuant thereto in the former recited acts and herein contained, and ſuch perſon or perſons as he or they ſhall, or the ſaid truſtees or any ſeven or more of them, ſhall appoint, from time to time to view and inſpect the progreſs of the ſaid river from the Black Bull bridge to the bridge of Mulhuddard, and for that purpoſe to enter upon the lands of the ſeveral perſons, through which the ſaid river runs, and when and ſo often as he or they ſhall find the ſaid river ſtopped or obſtructed, or the bank of ſaid river broken

Power to inſpect the river from *Black Bull* to *Mulhuddard*,

to enter lands,

A. D. 1779-80. Chap. 43.

broken or likely to fail, or the bed or ſides thereof choaked, and wanting to be cleared and emptied, to give notice in writing under the hand or hands of the ſaid ſurveyor, or any ſeven or more of the ſaid truſtees, to all and every or any of the owners or occupiers of the ground, through which the ſaid river runs, and wherever the ſame ſhall be ſo ſtopped, obſtructed, or prevented freely to flow, and want any ſuch cleanſing or emptying, or wherever the bank and ſides thereof ſhall want ſuch amending, renewing, and repairing as aforeſaid, then and in all ſuch caſes, and as often as either or any of them ſhall happen, to cleanſe and ſcour ſuch part of the bed and ſides of the ſaid river, and to repair, renew, and amend the banks thereof, as ſhall in manner aforeſaid need or require the ſame, within twenty one days after the ſervice of ſuch notice on ſuch reſpective owners and occupiers as aforeſaid; and in caſe ſuch owners and occupiers, or any of them, ſhall neglect to cleanſe and ſcour the bed and ſides of ſaid river, or to repair, renew, and amend the banks thereof, within the ſpace aforeſaid, it ſhall and may be lawful to and for the ſaid ſurveyor or ſurveyors, or ſuch perſon or perſons as he or they, or the ſaid truſtees, or any ſeven or more of them, ſhall appoint, to enter upon the ſame, and cleanſe and ſcour, or cauſe to be cleanſed and ſcoured, ſuch part of the bed and ſides of the ſaid river, and repair, renew, and amend ſuch parts of the banks thereof, as ſhall need and require the ſame; and in order to reimburſe the expence and expences of doing ſo it ſhall and may be lawful, upon an affidavit made by the ſaid ſurveyor or ſurveyors, or ſuch perſon or perſons as he or they, or the ſaid truſtees, or any ſeven or more of them, ſhall appoint, before any juſtice of the peace of the county, wherein ſuch cleanſing or ſcouring, or amending, renewing, and repairing ſhall be made and done, of the amount of ſuch reſpective charges for doing the ſame, by the warrant of ſuch juſtice, which he is hereby authorized and directed to grant, to levy by diſtreſs and ſale of the goods of ſuch owner or occupier neglecting or omitting to cleanſe and ſcour, or repair, renew, and amend the bed, ſides, and banks of the ſaid river, the full amount of ſuch charges, rendering the overplus (if any ſhall be) to ſuch owner or occupier, the charges and coſts of taking and making, and diſpoſing of ſuch diſtreſs being firſt deducted.

and give owners and occupiers notice in 21 days to cleanſe the river, and repair banks,

and on neglect cauſe the ſame to be done,

and upon affidavit, levy the expence by a juſtice's warrant.

XIV. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall from and after the day aforeſaid during the continuance of this act lay any turf, dung, rubbiſh, ſtraw, or other filth, or the ſcouring of any ditches or drains,

Laying annoyance on the road, offender, and owners or

ſtones, timber, or other annoyances upon the ſides, or upon any part of the ſaid road, or ſhall ſcrape the gravel or rubbiſh off any part thereof, or ſhall lay ſtraw on the ſame to make dung or manure, every ſuch perſon ſo offending, and the owner or owners or occupiers of ſuch ground or land adjoining the part or parts of the ſaid road, on which any turf, dung, ſtraw, gravel, or rubbiſh, or the ſcouring of any ditch or drain, or any filth, ſtone, or timber ſhall be laid, or any perſon ſcraping gravel or rubbiſh thereof, or lay ſtraw for dung or manure on the ſame, ſhall upon conviction by the oath of one credible witneſs before any one juſtice of the peace for the county, wherein ſuch offence ſhall be committed (which oath ſuch juſtice is hereby empowered to adminiſter) forfeit a ſum of forty ſhillings, to be levied by diſtreſs and ſale of the goods of ſuch offender, or of ſuch owner or occupier of ſuch ground or land, by the warrant of any one ſuch juſtice of the peace in which ſuch offence ſhall be committed, the ſame to be paid to the ſurveyor or ſurveyors of the ſaid road. Provided that the owners or occupiers of any lands adjoining ſaid road, on which any turf, dung, ſtraw, gravel, or rubbiſh, or the ſcouring of any ditch or drain on the ſides of ſaid road, or any filth, ſtones, or timber, ſhall be laid in manner aforeſaid, ſhall not clear away and effectually remove the ſame within ten days after ſuch notice for that purpoſe given by the ſaid ſurveyor, or by any written order from any ſeven or more of ſaid truſtees.

occupiers of land adjoining, and perſons ſcraping off gravel, or laying ſtraw for dung, forfeit 40s.

if annoyance not removed in 10 days after notice.

XV. And be it enacted by the authority aforeſaid, if any perſon or perſons ſhall at any time during the continuance of this act build any houſe or cottage, or begin to build any ſuch, within thirty feet of the middle or centre of the ſaid road, or any part thereof, it ſhall and may be lawful in every ſuch caſe for any two or more of his Majeſty's juſtices of the peace for ſuch county, as any ſuch houſe or cabbin ſhall be built or be began to be built on, by warrant under their hands and ſeals to order and cauſe the ſame to be pulled down; and every ſuch perſon or perſons building any ſuch houſe, or beginning the ſame, ſhall alſo forfeit a ſum of forty ſhillings, to be levied in like manner as the other penalties herein mentioned are made payable and recoverable.

Building within 30 feet of centre, pulled down on a juſtice's warrant,

and 40s. forfeited.

XVI. And be it enacted by the authority aforeſaid, that if any perſon or perſons ſhall wilfully or maliciouſly deſtroy, break, pull down, or damage any gate or gates, turnpike or turnpikes, toll houſe or toll houſes, heretofore erected or hereafter to be erected by virtue of the ſaid former recited acts or of this act, or

Damaging turnpike, &c. or obſtructing the erection, 20l.

A. D. 1779-80. Chap. 43.

or ſhall prevent or obſtruct any ſuch gate or gates to be erected, or any ſuch toll houſe or toll houſes to be built, or ſhall obſtruct, hinder, or moleſt any ſurveyor, collector, or other officer or perſon or perſons whatſoever employed for that purpoſe by the ſaid truſtees, or any ſeven or more of them, in the performance and execution thereof, each and every perſon and perſons ſo offending, and being thereof convicted by the oath of one or more credible witneſs or witneſſes before one or more juſtice or juſtices of the peace for the county where ſuch offence ſhall be committed, ſhall for every ſuch offence forfeit the ſum of twenty pounds, to be levied by diſtreſs and ſale of the goods and chattles of every ſuch offender or offenders by warrant under the hand and ſeal of the juſtice or under the hands and ſeals of the juſtices, before whom ſuch conviction ſhall be made; and in caſe the perſon or perſons ſo offending and being ſo thereof convicted hath or have no goods or chattles, whereout the ſame can be ſo levied, it ſhall and may be lawful to and for the ſaid juſtice or juſtices by warrant under his or their hand and ſeal or hands and ſeals to commit ſuch offender or offenders to priſon in the county, where ſuch offence ſhall be committed, for any ſpace not exceeding ſix months, nor leſs than three, from the day of ſuch commitment.

If no diſtreſs, impriſoned not above 6, nor under 3 months.

To meet at Navan,

may adjourn,

20 days notice,

clerk to appoint meeting,

truſtees to bear their charges.

XVII. And be it enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, ſhall meet at Navan in the county of Meath on the firſt, eighth, fifteenth, or twenty ſecond day of Auguſt next; and that the ſaid truſtees may then adjourn themſelves, and afterwards meet there or at any other place or places near the ſaid highway or road, as they the ſaid truſtees, or any ſeven or more of them, ſhall think proper and convenient, as often as it ſhall be neceſſary for the putting the ſaid ſeveral former acts and this preſent act into execution. Provided that twenty days at the leaſt notice of each and every meeting and the occaſion thereof be poſted, as the law requires; and if it ſhall happen, that there ſhall appear at any meeting, that ſhall be appointed to be had or held by the ſaid truſtees, a ſufficient number of truſtees to act at ſuch meeting, and to adjourn to any other day, then and in ſuch caſe the clerk or regiſter of the ſaid truſtees by notice in writing, to be affixed at the reſpective gates or turnpikes at leaſt ten days before the next meeting, ſhall appoint the ſaid truſtees to meet at the houſe, where the meeting of the ſaid truſtees was laſt appointed to be held, on that day fortnight, upon which ſuch laſt meeting of the truſtees was appointed to have been held; and that the ſaid truſtees

tees at their first and at all other meetings shall defray their own charges.

Actions laid only in county of Dublin or Meath,

XVIII. And be it further enacted by the authority aforesaid, That if any suit shall be commenced against any person or persons for any thing done in pursuance of the said former acts or of this present act, that in every such case the action shall be laid in the county of Dublin, or county of Meath, and not elsewhere; and that the defendant or defendants in such action may plead the general issue, and give the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and authority of the said former act and of this present act; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared, or if upon any demurrer judgment shall be given against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same, as any defendant or defendants hath or have in any other cases in law.

defendants may plead general issue, &c.

and recover treble costs.

A publick act.

XIX. And be it further enacted by the authority aforesaid, That this act shall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as such by all judges, justices, and other persons whatsoever without especially pleading the same.

From 1st August 1780, former tolls to cease; and tolls herein instead thereof.

XX. Provided always, and be it enacted by the authority aforesaid, That from and after the first day of August one thousand seven hundred and eighty, the several tolls and duties, granted and made payable in and by the said several herein before recited former acts, shall and may cease and end; and the several tolls and duties hereby laid and imposed be from thenceforth payable in their place and stead respectively.

Tolls hereby, and all provisions in said acts (save as altered) and in this continued 31 years from 1st August 1780.

XXI. And provided also, and be it further enacted by the authority aforesaid, That the several tolls and duties hereby granted, and all other the provisions and regulations in the said several recited former acts (except as hereby altered) and in this present act contained, shall take place and have continuance from and after the said first day of August one thousand seven hundred and eighty, for and during the term and space of thirty one years, and no longer.

Tolls applied first to repair of the road from Dublin to Navan only, and to usual expences of collecting,

XXII. And be it further enacted by the authority aforesaid, That the several tolls and duties hereby granted and laid as aforesaid shall be applied in the first place to and for the repairs of the said road, that is to say, the road leading from the city of Dublin to the town of Navan, and no other, and to the usual expences

A. D. 1779-80. Chap. 43.

expences of collecting the ſaid tolls, and to and for no other uſe, intent, or purpoſe whatſoever, until the ſaid truſtees, or any thirteen or more of them, ſhall certify under their hands, that the ſaid roads ſhall have been compleatly and ſufficiently repaired; and from thenceforth, and not ſooner, the ſaid ſeveral tolls and duties ſhall be applied to the uſes and purpoſes in the ſaid ſeveral recited former acts and in this preſent act provided for contained and mentioned.

'till thirteen truſtees certify compleatly repaired, then to uſes in this and ſaid acts.

XXIII. And provided alſo, and be it further enacted by the authority aforeſaid, That if at any time before the expiration of the ſaid term and ſpace of thirty one years, all parts of the ſaid road between the city of Dublin and the town of Navan ſhall have been ſufficiently amended and repaired, and ſhall be ſo adjudged by the majority of the truſtees, herein named or appointed or hereafter to be choſen and appointed by virtue of this act, and if repayment ſhall have been made of all ſuch money, as ſhall have been advanced or borrowed on credit of the ſaid tolls or duties, with all intereſt for the ſame; and if all the coſts and charges attending the ſame ſhall have been paid and ſatisfied, in ſuch caſe the ſaid tolls and duties ſhall ceaſe and be utterly void, any thing herein before contained to the contrary notwithſtanding.

Tolls to ceaſe, if adjudged by truſtees ſufficiently repaired, and loan repaid, with intereſt and coſts.

XXIV. Provided always, and be it enacted by the authority aforeſaid, That no perſon ſhall be ſubject to pay any toll for any cattle or any carriage drawn by any number of horſes paſſing over the bridge of Clonee, if ſuch perſon or cattle or carriages drawn as aforeſaid, ſhall not touch on any other part of the ſaid line of road lying and being between Dublin and Navan aforeſaid.

No toll over Clonee bridge, if not touching on other part of the line.

XXV. Provided always, and be it enacted by the authority aforeſaid, That all meetings of the truſtees for the time being, for the purpoſe of letting or farming the tolls of the ſaid road, or any part thereof, ſhall be holden at the admiralty court, or ſome convenient place within the city of Dublin, and not elſewhere; and that all meetings of the ſaid truſtees for the purpoſe of preſenting or ordering any money, or agreeing for ordering or directing any repairs or expenditure whatſoever on any part of the ſaid road, ſhall be holden alternately in ſucceſſion during the continuance of this act at Navan and Dublin, and not otherwiſe; the firſt meeting after the paſſing this act to be holden at Navan, and ſo in rotation as aforeſaid; any thing contained in this act to the contrary in any wiſe notwithſtanding.

Meeting for farming toll, held at the admiralty,

for ordering money, repairs, or expenditure, alternatively at Navan and Dublin.

CHAP.

A. D. 1779-80.

CHAP. XLIV.

An Act to amend an Act, entitled, *An Act for making and amending Publick Roads in the County of Dublin, and for regulating, applotting, and levying of Money in the County of the City of Dublin.*

Repealed by 26 G. 3. c. 14. ſ. 1. ſave as to boarded cars, failure of Wm. Bayly, and repealing clauſes.

WHEREAS notwithſtanding the ſeveral regulations and reſtrictions contained in the ſaid act ſeveral frauds and neglects have taken place in the expenditure of the publick money; to remedy which, be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That no money ſhall be preſented by the grand jury of the county of Dublin at any term for the making, widening, or repairing any road or building, or repairing any bridge, arch, gullet, or pipe, unleſs the affidavits, whereon ſuch preſentments are reſpectively to be grounded, ſhall be depoſited with the ſecretary of the grand jury on or before the ſecond day of ſuch term.

II. And be it enacted by the authority aforeſaid, That inſtead of the affidavit appointed by the ſaid act to be ſworn and laid before the grand jury of ſaid county, before any money ſhall be preſented by ſuch grand jury for the repairing of any road, the following affidavit ſhall be ſworn before any juſtice of the peace of the county, and ſhall be laid before the ſaid grand jury;

County of Dublin, } *A. B. of and C. D. of do ſeverally each for himſelf ſwear, that he holds, occupies, and is liable to pay coſt for ten acres of land in the barony of in the ſaid county, and that they have lately meaſured perches of the road directly leading from to which ſaid perches, lie between and , all in the ſaid barony; and that the greater part of the ſaid perches are about perches diſtant from the gravel or quarry, moſt proper and effectual in their opinion to repair the ſame with; and that it will require the ſum of to repair the ſaid perches feet wide with gravel or ſmall ſtones, being at the rate of by the perch, which they verily believe is the leaſt ſaid perches can be effectually repaired for.*

[A. D. 1779-80. Chap. 44.

And that instead of the affidavit appointed by the said act to be sworn by the acting overseer for the accounting for the expenditure of any money so presented, the following affidavit with an account in the following form shall be sworn before one of the judges of the court of King's bench, and shall be allowed by the grand jury, and by the said court, before any money be paid on account of any presentment made, after this act shall be in force.

County of Dublin, } *Whereas the sum of was presented at term in the year for said county, to be expended in repairing and making feet wide with gravel or small stones perches of the road directly leading from to , which said perches lie between and all in the barony of in said county, at the rate of by the perch: and whereas A. B. and C. D. were appointed overseers of the same;——Now I the said A. B. of do swear, that the annexed account is true in every particular, and that I have expended faithfully and honestly the sum of in repairing effectually the said perches pursuant to the presentment; which sum, with my wages at pence* per *pound makes in the whole the sum of , and that every part of the said perches is twenty one feet wide at the least in the clear, passable with wheel carriages, within the ditches, drains, gripes, or fences, and is made sixteen feet wide with gravel or stones at the least; and that all the said repair was made between the twenty fifth day of February and the twenty fifth day of October in the year and that the strakes of the wheels of every cart, car, or other carriage employed in the said work were at that time three inches broad from side to side on the sole, and were set on with counter sunk low headed nails or screws; and to the best of my judgment every load drawn was at the least five hundred weight.*

II. Provided also, That in case the grand jury for said county shall pursuant to the powers they now have by law, or which are herein after given them, present any road to be gravelled to a greater width than sixteen feet, or to be made wider between the ditches, drains, gripes, and fences than twenty one feet, that then the words sixteen and twenty one be omitted in the foregoing affidavit, and the breadth agreeable to such presentment be described therein.

Form of the Account.

An account of pounds, preſented at term
to be expended in repairing perches of the road from to,
between and

A. B. and C. D. overſeers.

E. F. overſeer of the work, at twelve pence in the pound, on the ſum of—

G. H.	*days*	per *day*	—	—	
I. K.	*days*	per *day*	—	—	
L. M.	*days*	per *day*	—	—	
cars	*days each,*	per *day*	—	—	
one horſe carts	*days each,*	per *day,*		—	
two horſe carts drew	*loads each,*	per *load*		—	
one horſe carts drew	*loads each,*	per *load*		—	
cars drew	*loads each,*	per *load*		—	
ſmiths for ſharpening pick axes			—	—	—
Total			—	—	— *£.*

III. And be it enacted by the authority aforeſaid, That in forming the query books for the county of Dublin, the clerk of the crown ſhall place the queries for the county at large ſeparate, and diſtinguiſh the terms they were preſented at, caſting them up at the foot of each term, and ſo for each and every barony, and ſhall on the firſt day of each term deliver to the grand jury an account of all the queries anſwered and paſſed by the court the preceding term, diſtinguiſhing the terms they were preſented at, keeping thoſe of the county and the ſeveral baronies ſeparate.

IV. And for the better and more exactly examining of the treaſurer's accounts, be it enacted by the authority aforeſaid, That the clerk of the peace of the county of Dublin ſhall on the firſt day of each and every term deliver to the grand jury a return of all ſums preſented by the grand jury at any quarter ſeſſions to be raiſed on

A. D. 1779-80. Chap. 44.

the county at large ſince the laſt term, and of all queries anſwered at any quarter ſeſſions ſince the laſt term, and the query book prepared by him for the next quarter ſeſſions; and that every ſum for the ſalary of officers, the apprehending or tranſporting of felons, the ſupplying the gaols with bread, or for any work done that ſhall be preſented either by the term or quarter ſeſſions grand juries ſhall remain on the query books, until a receipt for the payment of ſuch ſums ſhall be produced to the grand jury and the court of King's bench at the term, or the grand jury and bench of juſtices at the quarter ſeſſions; and every clerk of the crown and clerk of the peace, who ſhall neglect to make the returns hereby required, on complaint being made to the court of King's bench be fined by the ſaid court any ſum not exceeding twenty pounds, which ſhall be eſtreated into his Majeſty's exchequer.

V. And be it enacted by the authority aforeſaid, That the treaſurer of the county of Dublin ſhall on the firſt day of each term produce to the grand jury his accounts cloſed and balanced to that time; and that it ſhall not be lawful for any grand jury of the ſaid county at any time to preſent, nor for the court to allow, any ſum of money to be raiſed for or towards payment of the ſalary of the treaſurer, unleſs the grand jury at the preceding term ſhall have examined into his accounts of the term immediately preceding it, and ſhall have certified ſuch their examination with their opinion thereupon, ſigned by twelve of ſaid jurors at the leaſt; any law to the contrary notwithſtanding.

VI. And whereas it may be expedient to aſcertain the rate by the acre, beyond which the grand jury ſhall not at any time be allowed to preſent: be it enacted by the authority aforeſaid, That at each Eaſter or Michaelmas term in every year the grand jury ſhall in the firſt place, before they preſent any new ſum of money to be levied on the county at large or on any barony, repreſent all ſuch ſums, as ſhall have been preſented two years before the ſaid term, upon the county at large, or upon ſuch barony reſpectively, and ſhall then remain unaccounted for, and at the foot of the preſentments of money to be raiſed on each barony made at every ſuch term, the proportion which ſuch barony is to pay of the ſums preſented at ſaid term, and at any quarter ſeſſions held ſince the laſt preſenting term, to be raiſed on the county at large, ſhall be ſtated; and if the total of the money preſented at ſuch term to be raiſed on ſuch barony, together with the ſum which ſuch proportion of

the

the county charge ſhall amount to, ſhall exceed in the whole the ſum of eighteen pence an acre on each acre contained in ſuch barony according to the rule for the aſſeſſment thereof and of ſaid county, ſpecified in the ſaid act, that then it ſhall not be lawful for the court to confirm any one barony preſentment made at ſuch term for the raiſing of any money on ſuch barony, but may confirm thoſe made upon the county at large.

VII. And be it further enacted by the authority aforeſaid, That every perſon who ſhall appear to be ſworn on the grand juries at every Eaſter and Michaelmas term after the paſſing of this act, ſhall, before he be admitted to take the grand juror's oath, in open court make the affidavit following:

You A. B. C. *do ſeverally ſwear, each for himſelf, that you are ſeized or poſſeſſed of an eſtate for life, or lives, or years, of fifty pounds a year at the leaſt, or next in remainder or reverſion to an eſtate of one hundred pounds a year at leaſt, or that you occupy or are liable to pay ceſs for two hundred acres of land at the leaſt, within the county of Dublin, as the caſe may happen to be.*

VIII. And be it enacted by the authority aforeſaid, That in every eſtimate to be laid before the grand jury for the building, rebuilding, repairing, or enlarging any bridge, part of a bridge, pipe, gullet, or wall, ſeſſion houſe, gaol, work houſe, or houſe of correction, the price *per* perch of the workmanſhip including labourers, and the price *per* perch of the lime and of the ſand, ſhall each of them be ſeparately ſet forth, and not in one ſum, together with the diſtance each material is from the place, where the work is to be executed; and that no money ſhall be paid by the ſaid treaſurer on account of any preſentment for the building, rebuilding, repairing, or enlarging, any bridge, part of a bridge, pipe, gullet, or wall, ſeſſion houſe, gaol, work houſe, or houſe of correction, unleſs ſuch of the overſeers named in ſuch preſentment, as ſhall not have ſworn to the expenditure of the money, ſhall make oath in form following after firſt reciting the preſentment:

I, or We, the other overſeer or overſeers in the above recited preſentment do ſwear, that I or We have carefully examined the ſaid work ſworn to have been done or executed, and to the beſt of my or our opinion the ſaid work is well executed: and I or We do believe, that the ſum ſworn to have been expended thereon has been faithfully and honeſtly laid out.

A. D. 1779-80. Chap. 44.

IX. And whereas it may happen, That one or more of ſuch overſeers ſhall or may be dead or abſent from the kingdom, or prevented by unavoidable neceſſity or ſickneſs from attending, be it enacted by the authority aforeſaid, That the money, ſworn by the acting overſeer to have been expended purſuant to preſentment either on a barony or on the county at large, may be paid, notwithſtanding the other overſeer or overſeers ſhall not have made the affidavits preſcribed by this or the ſaid recited act reſpectively, if it ſhall appear to the grand jury by affidavit and be allowed by them, that ſuch overſeer or overſeers have been prevented by abſence from the kingdom, unavoidable neceſſity, or ſickneſs from making the affidavit by law required; and if any other perſon, having an eſtate of freehold of the yearly value of one hundred pounds in ſaid county ſhall make affidavit in the ſame form required for ſuch overſeer or overſeers reſpectively, omitting the words, the other overſeer or overſeers in the above recited preſentment.

X. And be it enacted by the authority aforeſaid, That the penalty enacted by the ſaid act againſt any perſon riding or driving any horſe, beaſt, or cattle on any foot path, may be recovered by conviction before any juſtice of the peace for ſaid county, whether he hath an eſtate of freehold therein or not.

XI. And whereas ſeveral perſons in different pariſhes of this county have illegally oppoſed the collectors of the county ceſs, by which arrears have accrued, that if not provided for the treaſurer cannot pay thoſe perſons, who are appointed overſeers: be it enacted by the authority aforeſaid, That every collector fifteen days before the firſt day of every Eaſter and Michaelmas terms ſhall deliver to the miniſter of every pariſh, in which, or in any union thereunto belonging, any ſuch arrears ſhall be due, a liſt of the names of the perſons ſo in arrear, with the ſums due by each of them, and ſhall make affidavit before a juſtice of the peace of the county, that he had done every thing in his power to levy the ſame without effect, being either oppoſed in the execution of his office, or that he could not find any diſtreſs on the premiſes to anſwer the ceſs; and every miniſter receiving ſuch liſt ſhall cauſe a copy thereof to be poſted upon the church door, or at ſome conſpicuous place in the pariſh or union, together with a notice that a veſtry will be held on the Tueſday eight days following, and requiring the ſeveral perſons ſo in arrear to appear at ſuch veſtry, and pay their arrears ſo due to the church wardens of the pariſh; and from and after the holding

of such vestry the church wardens, or any one of them, shall be impowered to call the constable of the parish and any number of the inhabitants to assist him to levy the sums due by distress and sale of the goods and chattles of the person or persons so in arrear, together with the sum of one shilling for every distress, they shall be obliged to make, for the constables trouble; and every church warden shall immediately pay over all sums, that he shall so levy, to the collector; and if the church wardens shall neglect to levy such arrear and to pay it to the collector, and that it shall so appear to the grand jury by the affidavit of the collector, it shall be lawful for such grand jury to present the sum so in arrear to be levied off such parish at large, and shall by the treasurer be added in his warrant to the proportion, that such parish or union, if any, is to pay of the presentments made at that term; provided that no grand jury shall present any sum as poundage to be paid to any collector for such sums, as shall be levied by any church warden.

XII. And whereas William Bayly, late treasurer of the county of Dublin, did some time past stop payment, and became a bankrupt considerably indebted to the county: and whereas the suit at law, which the grand jury have directed to be commenced against his sureties for the recovery of the sum due by him, cannot be speedily determined, so that several persons, who have upon the credit of the county expended money in executing the publick works, are great sufferers; for their relief be it enacted by the authority aforesaid, That if any person shall make it appear upon oath to the grand jury for the county of Dublin at the next Michaelmas or Easter term after the passing of this act, that they have before the year one thousand seven hundred and seventy nine expended any money in executing any presentment, passed before the said William Bayly stopped payment, and that there still remains due to them the whole or any part thereof, and that they had not received any note, bond, security, or satisfaction for the same, the grand jury shall cause the treasurer of the county to enter an account thereof: and each of the grand juries of the court of King's bench on that and the three next presenting terms shall be impowered to present one fourth of the sum so claimed to be raised off the county at large, which sums when raised shall be paid to the persons, so proving that they had expended the money; and that whatever sum may be recovered from the said William Bayly, or any of his sureties, shall by the grand jury be applied to the use of some other necessary work in the county, such as it is now presented for by law.

A. D. 1779-80. Chap. 44.

XIII. And be it enacted by the authority aforesaid, That every presentment made before the said William Bayly stopped payment, and which has not been executed before the passing of this act, shall by the court be struck off the query book.

XIV. And whereas a suit hath been lately commenced by the order of the grand jury of the said county for recovery of the publick money, which appears to have been due and in arrear by the said William Bayly at the time of his said failure, which is carrying on in the names of the right honourable Anthony earl of Meath, Robert Sibthorpe, Gorges Lowther, and John Rawlins, esquires, justices of the peace for the said county of Dublin: and whereas it may hereafter become necessary to commence suits for recovery of the publick money in the name or names of the treasurer or collectors of the said county: be it enacted by the authority aforesaid, That in case such suit or suits cannot be carried on with effect, and that a verdict, non suit, or judgment shall be awarded against them or any of them in all or any such suit or suits so commenced, or that shall hereafter be commenced, prosecuted, or defended by the order and directions of the said grand juries under the powers in this or any former act not hereby repealed, it shall and may be lawful for the grand juries of said county at Easter or Michaelmas term to present such costs, as shall be awarded against them, or any or either of them, that are usually taxed between party and party, in order that the said Anthony earl of Meath, Robert Sibthorpe, Gorges Lowther, and John Rawlins, and all other person or persons whose names shall be made use for the recovery of the publick money as aforesaid, and their and each of their respective goods, chattles, lands, tenements, and hereditaments, shall not be liable thereto, but shall for ever be freed, exonerated, and discharged from the same; and that it shall not be lawful for them or any of them, their executors, administrators, or assigns to bar or release any action or suit so commenced, or hereafter to be commenced in their name or names for the purposes aforesaid, without the concurrence, order, and directions of the said grand juries at either Easter or Michaelmas terms.

XV. And whereas by the said act of the thirteenth and fourteenth of his present Majesty, the grand juries of the county of Dublin in Easter and Michaelmas term are impowered to present foot paths within five miles of the city of Dublin: be it further enacted by the authority aforesaid, that the said power be extended to the presenting for foot paths on the turnpike and other great roads leading directly to the city of Dublin, as far as the bounds of the said county.

XVI. And

XVI. And whereas by an act paſſed in the fifteenth and ſixteenth years of the reign of his preſent Majeſty, entitled, *An act to explain and amend an act*, entitled, *An act for paving the ſtreets, lanes, quays, bridges, ſquares, courts, and alleys, within the city and county of the city of Dublin, and other purpoſes relative to the ſaid city of Dublin, and other places therein particularly mentioned, and for extending the proviſions of the ſaid act to the baronies of Saint Sepulchre's and Donore*, it is amongſt other things enacted, That from and after the firſt day of May one thouſand ſeven hundred and ſeventy ſix no perſon whatſoever carrying out of any houſe, yard, cellar, court, lane, or alley any coal aſhes, horſe dung, or any rubbiſh whatſoever, ſhall attempt to lay down the ſame in any place mentioned in the ſaid recited act, but ſhall have a cart at the door of ſaid houſe, yard, cellar, lane, or alley, to load ſaid coal aſhes or rubbiſh in, and that no perſon whatſoever ſhall be permitted to load or carry away ſuch coal aſhes, horſe dung, or any rubbiſh on any low back car, or otherwiſe than in a cart, under the penalty of ten ſhillings, to be recovered as other penalties in ſaid recited act are recoverable: and whereas the ſaid recited part of the ſaid act hath been found inconvenient: be it enacted by the authority aforeſaid, That the ſaid recited part of the ſaid act ſhall be and the ſame is hereby repealed; and that from and after the paſſing of this act any perſon or perſons carrying out of any houſe, yard, cellar, court, lane, or alley any coal aſhes, horſe dung or rubbiſh, who ſhall attempt to lay down the ſame in any place mentioned in the ſaid recited act, and being thereof convicted by the oath of one or more witneſs or witneſſes before any one or more juſtice or juſtices of the peace of the ſaid city, ſhall for every ſuch offence forfeit and pay the ſum of ten ſhillings; and that no perſon whatſoever ſhall be permitted to load or carry away any ſuch coal aſhes, horſe dung, or rubbiſh otherwiſe than in a cart or car, which car ſhall be floored and inclоſed by a boarded frame work having the tail board only moveable, under the like penalty of ten ſhillings to be recovered in the manner aforeſaid.

15 & 16 G. 3. c. 28. ſ. 20. repealed.

perſons carrying out rubbiſh, laying down in places in ſaid act, convicted on oath before city juſtice, forfeit 10s.

loaded only in a cart, or car floored & boarded, the tail only moveable, penalty 10s.

XVII. And whereas by the ſaid act paſſed in the fifteenth and ſixteenth years of the reign of his preſent Majeſty the barony of Donore is included in ſaid act: and whereas the taxes impoſed by ſaid act have been found very grievous to the inhabitants of ſaid barony: be it enacted by the authority aforeſaid, That each and

Every clauſe in 15 & 16 G. 3. c. 20. relating to extending it to barony of Donore, repealed.

A. D. 1779-80. Chap. 44.

every clauſe in ſaid act, which relates to the extending the proviſions of ſaid act to the barony of Donore, be hereby repealed, and that the ſaid barony ſhall be ſubject to all the ſame taxes, aſſeſſments, rules, orders, and regulations, and no other, as are contained in this act and in the act of the thirteenth and fourteenth of his preſent Majeſty, entitled, *An act for making and amending publick roads in the county of Dublin, and for regulating the applotting and levying of money in the county of the city of Dublin*; any thing therein contained to the contrary notwithſtanding.

XVIII. Provided always, That nothing herein contained ſhall extend to the exonerating the inhabitants of the ſaid barony from the payment of any debt, or any arrears of taxes or aſſeſſments, which have been incurred by virtue of the ſaid act of the fifteenth and ſixteenth years of the reign of his preſent Majeſty.

XIX. And whereas the clauſe in the above recited act for amending roads in the county of Dublin, impowering the grand jury to appoint an overſeer to keep in repair and free from illegal nuiſances any number of perches not exceeding ſix hundred, and to preſent for the ſame any ſum not exceeding ſeven pounds ten ſhillings, has been found of great utility and a ſaving to the county, though not ſufficient fully to anſwer the end propoſed: be it enacted by the authority aforeſaid, That the grand jury at Eaſter or Michaelmas term may preſent any ſum not exceeding fifteen pounds, which ſhall appear by affidavit to the grand jury and to the court of King's bench to have been expended by any ſuch appointed overſeer in keeping in repair ſix hundred perches of any ſuch road lying within ſix miles of the caſtle of Dublin.

XX. And whereas on account of the ſmall ſums preſented annually on the barony of Saint Sepulchre's it has not been practicable to get perſons to collect the county ceſs: be it enacted by the authority aforeſaid, That the perſon or perſons, appointed by the truſtees for paving the ſtreets of the city of Dublin to collect the paving tax in ſaid barony, ſhall and are hereby impowered and required to collect the ſaid ceſs and arrears, which has or ſhall be preſented by the grand juries of the ſaid county of Dublin on the ſaid barony of Saint Sepulchre, in like manner as the collectors that are appointed by grand juries for the other baronies of the ſaid county; and if any ſuch collector of the paving tax for the time being ſhall neglect or refuſe to collect ſaid ſums, and to pay the amount of them to the treaſurer of the county of Dublin, on complaint made to the court of King's bench he ſhall be fined for every ſuch omiſſion or neglect in a ſum not exceeding the ſum

ſo due and in arrear; which fine ſhall be paid to the treaſurer of the county of Dublin, and be accounted for by him, and applied to the uſes for which the original preſentments on ſaid baronies were made; and that the ſaid collector or collectors of the paving tax ſhall be allowed twelve pence in the pound for his or their trouble in collecting the county ceſs.

XXI. And whereas doubts have ariſen, whether by an act paſſed in the thirteenth and fourteenth years of his preſent Majeſty's reign, entitled, *An act for explaining and amending an act paſſed in the fifth year of his ſaid Majeſty*, entitled, *An act for erecting and eſtabliſhing publick infirmaries or hoſpitals in this kingdom*, the term grand juries of the county of Dublin are impowered to raiſe any ſum by preſentment for the uſe of the Meath hoſpital, now the eſtabliſhed publick infirmary or hoſpital for ſaid county: be it enacted by the authority aforeſaid, That the grand juries for ſaid county ſhall at Eaſter or Michaelmas term in every year preſent a ſum not exceeding one hundred nor leſs than fifty pounds to be raiſed upon ſaid county at large, and paid to the treaſurer of ſaid county, to be by him paid over to the treaſurer of ſaid infirmary or hoſpital on his drafts or receipts, which drafts or receipts ſhall be allowed as vouchers to the ſaid county treaſurer in paſſing his accounts; and which money ſhall be applied by the governors and governeſſes of the ſaid hoſpital or infirmary in providing food, medicines, and other neceſſaries for the patients, in repairing the ſaid building and furniture thereof, and in paying the rent of ſaid infirmary or hoſpital.

XXII. Provided always, That no greater ſum than one hundred pounds ſhall be raiſed off ſaid county in any one year for the purpoſes aforeſaid, any thing herein contained to the contrary notwithſtanding.

XXIII. And in order to remove any doubts relative to applotments made in the ſeveral diſtricts in the ſaid county, be it enacted by the authority aforeſaid, That it ſhall not be lawful for any collector to demand payment for any county or barony ceſs without producing the original applotment ſigned and ſworn to by the appointed applotters, in which ſhall be ſpecified the ſeveral ſums, which each perſon in the pariſh or diſtrict is applotted to pay; and in caſe no applotters have been appointed, or having been appointed have neglected to make the applotment, the collector ſhall produce the applotment with his own affidavit annexed, as directed by the ſaid act, together with the laſt applotment which ſhall have been made on the pariſh or diſtrict.

A. D. 1779-80. Chap. 44.

XXIV. And be it enacted by the authority aforesaid, That it shall be lawful for any person or persons of the profession called quakers to make affirmation instead of the several oaths and affidavits required by this and the said act of the thirteenth and fourteenth of his present Majesty; which affirmations shall express as nearly as possible, *mutatis mutandis*, the same words as the several oaths and affidavits required by this and the former act, and if any person, who shall take any oath, or if a quaker make any affirmation, in consequence of or by virtue of this and the said former act, shall forswear himself or herself, and shall be guilty of wilful and corrupt perjury or false affirmation, and shall thereof be convicted by due course of law, he, she, or they shall incur and suffer the pains and penalties which by law are enacted against persons guilty of wilful and corrupt perjury.

XXV. And be it enacted by the authority aforesaid, That if any suit shall be commenced against any person or persons for any thing done in pursuance of this act, that in every such case the action or suit shall be commenced within six calendar months, next after the fact shall be committed, and not afterwards, and shall be laid in the said county of Dublin, and not elsewhere; and the defendant or defendants in such action or actions to be brought shall and may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act, and if it shall appear so to have been done, or that such action or suit was brought after the time before limited, or in any other county or place than in the said county of Dublin, that then the jury shall find for the defendant or defendants; and upon such verdict, or if the plaintiff shall be nonsuited or discontinue his action, after the defendant or defendants shall have appeared, or if on any demurrer judgment shall be given against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have in other cases by law.

XXVI. And be it further enacted by the authority aforesaid, That this act shall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as such by all judges, justices, and other persons whatsoever, without specially pleading the same, and shall have continuance and be in force from the first day of the next Michaelmas term after the passing of this act inclusive until the twenty second day of June which will be in the year of our lord one thousand eight hundred and nineteen, and no longer.

CHAP.

A. D. 1779-80.

CHAP. XLV.

An Act for making, and repairing, and ſhortening a Road from the Croſs of Callen in the County of Kilkenny through the Town of Mullinahone, and by the Ford of Kilmore called Blackfoord and Poorſtown to the Town of Clonmell in the County of Tipperary.

WHEREAS the ſaid highway or road is in bad repair and condition: and whereas it would be of publick utility, that the ſaid road ſhould be ſhortened and widened, effectually mended, and hereafter kept in good and ſufficient repair: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That for the better ſurveying, ordering, amending, and keeping in repair the ſaid road the following perſons, namely, the moſt reverend the archbiſhop of Caſhell, the earl of Carrick, the biſhop of Waterford, lord Clifden, the right honourable John Ponſonby, Joſeph Deane eſquire, George Agar eſquire, Gervaiſe Buſhe eſquire, ſir Hercules Langriſh baronet, William Izod eſquire, Kevan Izod eſquire, Walter Butler, eſquire, John Butler eſquire, right honourable Henry Flood, ſir Frederick Flood baronet, honourable Pierce Butler, John Flood eſquire, Eland Moſſom eſquire, Andrew Caldwell eſquire, reverend Thomas Pack, Abraham Stewart eſquire, reverend Somerſet Broſield, reverend archdeacon Henry Palmer, reverend Arthur Palmer, Anthony Blunt the elder, eſquire, John Blunt eſquire, reverend Charles Agar, Luke Roche eſquire, John Waring of Shipton eſquire, Richard Wheeler eſquire, Denny Cuffe eſquire, Nathaniel Mitchell eſquire, reverend Samuel Madden, Joſeph Evans of Belevan eſquire, Joſeph Evans junior of ditto eſquire, Henry Blunt eſquire, Thomas Butler eſquire, reverend Richard Park, Richard Helſham eſquire, John Macoune eſquire, Mr. Lewis Chapelier, Abraham White Baker, Patrick Walſh, lord Mountmorris, lord Cahir, Francis Matthew eſquire, Henry Prettie eſquire, the earl of Clanwilliam, lord viſcount Mountcaſhell, the right honourable lord Kingſborough, Cornelius O'Callaghan eſquire the elder, and Cornelius O'Callaghan the younger eſquire, David Walſh eſquire, William Perry eſquire, Richard Perry eſquire, William Barton eſquire, the right honourable John Hely Hutchinſon, the right honourable ſir William Oſborne baronet, Thomas Oſborne eſquire, the right ho-

A. D. 1779-80. Chap. 45.

nourable ſir Henry Cavendiſh baronet, ſir Edward Newenham, knight, the mayor of Clonmell for the time being, Richard Hely Hutchinſon eſquire, Stephen Moore eſquire, Guy Moore Coote eſquire, Richard Pennefather eſquire, William Pennefather eſquire, ſir Cornwallis Maude baronet, ſir William Barker baronet, Thomas Moore eſquire, Richard Moore of Chancellorſtown eſquire, Thomas Chudleigh Moore eſquire, John Power eſquire, Bury Palliſer eſquire, Michael Green eſquire, John Bagwell of Kilmore eſquire, John Bagwell of Belgrove eſquire, William Ryall eſquire, Phineas Ryall eſquire, captain Mitchell, reverend doctor Joſeph Moore, reverend Peter Carey, Thomas Weſton eſquire, attorney, the reverend James Denny, Hamilton Lowe Butler eſquire, John Miles eſquire, William Bagwell eſquire, Thomas Clutterbuck eſquire, Chriſtopher Kellet eſquire, Thomas Prendergaſt eſquire, Thomas Quin eſquire, Robert Serjeant gentleman, Maurice Lowergan gentleman, William Lowergan gentleman, Thomas Lowergan gentleman, Thomas Foreſt gentleman, Thomas Dobbyn gentleman, Richard Dobbyn gentleman, and William Aſſop gentleman, and the ſurvivors or ſurvivor of them, ſhall be and are hereby nominated and appointed truſtees of the ſaid road; and they or any five or more of them, or ſuch perſon or perſons as they ſhall authorize and appoint, ſhall and may after the firſt day of Auguſt one thouſand ſeven hundred and eighty erect or cauſe to be erected one or more gate or gates, turnpike or turnpikes, in, upon, or acroſs any part or parts of ſaid highway or road made or to be made, and alſo a toll houſe or toll houſes, and there ſhall receive and take the tolls and duties following, before any horſe, mare, gelding, cattle, coach, berlin, chariot, calaſh, chaiſe, chair, capriole, wain, cart, car, or other carriage ſhall be permitted to paſs through the ſame, to wit, for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by ſix horſes, geldings, mares, or mules, two ſhillings; and for every coach, berlin, chariot, calaſh, chaiſe, or chair drawn by four geldings, mares, or mules, one ſhilling and ſix pence; and for every coach, berlin, chariot, calaſh, chaiſe, or chair, drawn by two horſes, mares, geldings, aſſes, or mules, one ſhilling; for every waggon, wain, cart, or carriage with two wheels drawn by three or more horſes, geldings, mares, mules, aſſes, or beaſts of draught, three ſhillings; for every waggon, wain, cart, or carriage of two wheels drawn by two horſes, geldings, mares, mules, aſſes, or beaſts of draught, ſixpence; for every carriage commonly called a chair or chaiſe or capriole drawn by one horſe, gelding, mare, or mule, ſix pence; for every cart, car, or other carriage having but one

Truſtees nominated,

5 may erect turnpikes and toll houſes, and take toll therein,

the toll,

horſe

horſe, mare, gelding, mule, aſs, or beaſt of draught, two pence, except cars or other carriages laden with turf only, and drawn by one horſe, gelding, mare, mule, aſs, or beaſt of draught, which are hereby excepted from any of ſaid tolls; for every horſe, mare, gelding, mule, or aſs, with any perſon riding thereon, two pence; for every horſe, mare, gelding, mule, or aſs, laden or unladen, and not drawing or having any perſon riding thereon, three halfpence; for every drove or ſcore of oxen, cows, or neat cattle, two ſhillings and ſix pence, and ſo in proportion for any greater or leſſer number; for every drove of calves, hogs, ſheep, goats, or lambs, one ſhilling and three pence by the ſcore, and ſo in proportion for any greater or leſſer number; and for every carriage whereon ſhall be carried or borne any milſtone, two ſhillings and ſix pence; which ſaid reſpective ſum and ſums of money ſhall be demanded and taken in the name of or as a toll or duty, and the money ſo to be raiſed as aforeſaid is and ſhall hereby be veſted in the ſaid truſtees, and the ſame and every part thereof ſhall be paid, applied, diſpoſed of, and aſſigned to and for the ſeveral uſes, intents, and purpoſes, and in ſuch manner as is herein after mentioned and directed; and the ſaid truſtees, or any five or more of them, are hereby empowered by themſelves, or any perſon or perſons by them, or any five or more of them, under their hands and ſeals thereunto authorized to levy the toll or duty hereby required to be paid upon any perſon or perſons who ſhall after demand made thereof neglect or refuſe to pay the ſame, by diſtreſs of any horſe or horſes, or other cattle or goods upon which ſaid toll or duty is by this act impoſed, or upon any of the goods and chattles of ſuch perſon or perſons who ought to pay the ſame, and may detain and keep the ſame until ſuch toll or duty, with the reaſonable charges of ſuch diſtraining and keeping ſhall be paid; and it ſhall and may be lawful to and for the perſon or perſons ſo diſtraining, after the ſpace of five days after ſuch diſtreſs made and taken to ſell the goods diſtrained, returning the overplus (if any be) upon demand to the owner thereof, after ſuch toll, duty, and reaſonable charges for diſtraining and keeping the ſame ſhall be deducted and paid.

veſted in ſaid truſtees,

applied to uſes herein,

on neglect or refuſal levied by diſtreſs and ſale in 5 days.

II. And be it enacted by the authority aforeſaid, that out of the firſt monies ariſing from the profits of the ſeveral turnpikes to be erected purſuant to this act the ſaid truſtees, or any five or more of them, ſhall firſt pay and diſcharge the expence of erecting ſuch turnpike or turnpikes, and building ſuch toll houſe or toll houſes, and after ſuch charges and expences ſhall be fully ſatisfied and paid, that then and from thenceforth the profits ariſing

Firſt to pay expence of erecting turnpikes, &c.

A. D. 1779-80. Chap. 45.

ariſing, and the toll to be collected at any of the ſaid turnpikes, ſhall be applied for and towards the repair of the ſaid road, beginning at the town of Clonmell, and ſo proceeding from thence to the ſaid town of Callan; and after thoſe purpoſes ſhall be compleated, that from thenceforward the produce of the ſaid tolls ſhall be diſtributed and paid impartially and without preference to ſuch perſons reſpectively, who ſhall lend or advance any ſum or ſums of money on the credit of the ſaid tolls.

then to repair the road from *Clonmell* to *Callan*, then to creditors without preference.

Permitting paſſage to avoid toll, on oath before 5 truſtees or 1 or more juſtices forfeit 10s. by diſtreſs and ſale.

III. And be it enacted by the authority aforeſaid, that if any perſon or perſons whatſoever owning, renting, or occupying any land near to any turnpike now erected or hereafter to be erected in purſuance of this act, ſhall for gain, reward, or otherwiſe permit any perſon or perſons whatſoever to paſs through any gate, paſſage, or way with any coach, berlin, chariot, calaſh, chaiſe, or chair, or capriole, waggon, wain, cart, car, or other carriage, or driving or drawing any horſe, aſs, mule, or any ſort of cattle, to avoid the payment of the toll hereby appointed to be paid, and ſhall be thereof convicted upon oath or oaths of one or more witneſs or witneſſes before the ſaid truſtees, or any five or more of them, or before one or more juſtice or juſtices of the peace for the county wherein ſuch offence or offences ſhall be committed, who are hereby empowered and required to adminiſter ſuch oath, and to hear and determine upon the ſame in a ſummary way, ſuch perſon or perſons ſhall forfeit and pay to the truſtees authorized to put this act in execution the ſum of ten ſhillings, to be levied by diſtreſs and ſale of the offender's goods by warrant under the hand and ſeal or under the hands and ſeals of the ſaid truſtees, or any five or more of them, or ſuch juſtice or juſtices, tendering the overplus (if any there be) to the owner, the charges in taking and diſpoſing of the ſaid goods being firſt deducted.

Side gates erected,

IV. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any five or more of them, to erect one or more gate or gates, turnpike or turnpikes, on the ſide of the highway or road acroſs any way or lane leading out of the ſaid road, and there to receive and take ſuch toll as is appointed by this act to be taken, ſo as the ſame do not extend to a double charge in caſe of paſſing through any other of the turnpikes now erected or hereafter to be erected by virtue of this act.

ſo as no double charge.

At meeting appoint and remove receivers and ſurveyors,

V. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any five or more of them, at the firſt meeting or any ſucceeding meetings by writing under their hands and

and ſeals ſhall and may elect, nominate, and appoint one or more fit perſon or perſons to be receiver or receivers, collector or collectors, of ſuch money in the name of ſuch toll or duty, as ſhall be due and payable by virtue of this act; and alſo one or more fit perſon or perſons to be ſurveyor or ſurveyors to view the condition of the ſaid highway or road, and to take care that the ſame be made, amended, and repaired; and that the money ariſing and expended by virtue of this act be duly applied, and ſhall and may from time to time remove ſuch collectors, receivers, and ſurveyors, or any or either of them, as they ſhall ſee occaſion, and appoint new ones in caſe of death or of ſuch removal; and ſuch perſon or perſons, as is or are by this act liable to pay the ſaid toll or duty, is and are hereby required to pay the ſame after the rates aforeſaid to the ſaid receiver or receivers, collector or collectors, of the ſaid toll or duty in that behalf from time to time appointed as aforeſaid for receiving the ſaid toll or duty; and ſuch receiver or receivers, collector or collectors, ſurveyor or ſurveyors, as aforeſaid ſhall upon oath before the ſaid truſtees, or any five or more of them, or before one or more juſtice or juſtices of the peace reſiding near the highway or road aforeſaid, which oath ſuch truſtees or any five or more of them, or ſuch juſtice or juſtices, is and are hereby empowered and required to adminiſter on the firſt Tueſday in every month or oftener, if required, during the continuance of this act give in a true, exact, and perfect account in writing under their reſpective hands of all monies, which he and they, and every or any of them ſhall to ſuch time have received, paid, and diſburſed by virtue of this act by reaſon of their reſpective offices, for which oath no fee or reward ſhall be taken; and in caſe any money ſo received ſhall remain in their or any of their hands, the ſame ſhall be paid to the ſaid truſtees, or any five or more of them, or to ſuch perſon or perſons as the ſaid truſtees, or any five or more of them, ſhall by writing or writings under their hands and ſeals authorize and empower to receive the ſame, which ſhall be diſburſed and laid out in amending the ſaid highway or road, and for the other purpoſes herein mentioned, according to the true intent and meaning of this act and not otherwiſe; and the ſaid truſtees, or any five or more of them, to whom ſuch account ſhall be given, ſhall and may out of the money ariſing out of the ſaid toll or duty make ſuch allowance to the receiver or receivers, collector or collectors, for and in conſideration of his and their care and pains reſpectively taken in the execution of his and their office and offices, and to ſuch other perſon or perſons who have been

to account on oath 1ſt *Tueſday* monthly or oftener if required before 5, or juſtices reſiding near,

ſurplus paid to truſtees, or as by them authorized,

and diſburſed for purpoſes herein,

A. D. 1779-80. Chap. 45.

been or shall be assisting in and about procuring the said highway or road to be made, amended, and repaired, by advancing or laying out any money or otherwise relating thereunto, as to them shall seem good, so as such allowance or allowances to such collector or collectors do not annually exceed twenty pounds, and to such surveyor or surveyors any sum not exceeding two shillings *per* day during such time or times as he or they shall be respectively employed in the repair of the said road, and so as such allowance or allowances to any other person or persons, who shall be employed by virtue of this act, does not exceed the sum of fifteen pounds yearly to each person; and in case the said receiver or receivers, collector or collectors of the aforesaid toll or duty, surveyor or surveyors, or any of them, shall not make such account or payment unto such person or persons according to the orders or directions of the said trustees or any five or more of them as aforesaid, that then the said trustees, or any five of them, shall forthwith remove any such receiver, collector, and surveyor; and the said justices of the peace at any special session or meeting of them to be holden for the county in which such receiver, or receivers, collector or collectors, surveyor or surveyors have acted or been employed, and made such default as aforesaid, shall and are hereby required and impowered to make enquiry, and finally to determine of and concerning such default, as well by the confession of the said parties themselves, as by the testimony of one or more credible witness or witnesses upon oath, which oath they are empowered and required to administer without fee or reward; and if any person or persons shall be convicted thereof by such justices, the said justices shall upon such conviction commit the party or parties to the common gaol of the county where such offence shall be committed, there to remain without bail or mainprize, until he or they shall have made a true and perfect account and payment as aforesaid.

allowance to receivers not above 20l. annually, to surveyors 2s. a day during employment, to others employed not above 15l. yearly each, on default of such account or payment removed,

default inquired and determined at sessions,

on conviction imprisoned till account and payment.

VI. And be it enacted by the authority aforesaid, that it shall and may be lawful to and for the surveyor and surveyors, and such person or persons as he or they shall appoint to dig, raise, gather, take, and carry away any gravel, furze, sand, stones, or other materials out of any waste or common of any parish, town, village, or hamlet in or near which any foundations or ruinous places of the said highway or road do lie, and for want of sufficient gravel, furze, sand, stones, or other materials there, to dig, gather, raise, take, and carry away the same out of the waste or common of any neighbouring parish, town,

Materials raised in adjoining waste or common without paying,

town, village, or hamlet, without paying any thing for the ſame; and where there is not ſufficient of ſaid materials in any common or waſte grounds near adjoining, it ſhall and may be lawful for them by order of the ſaid truſtees, or any five or more of them, in writing to dig, raiſe, and gather the ſame in the ſeveral grounds of any perſon or perſons not being built upon, and not being a park, garden, orchard, yard, or meadow, planted walk or walks, or avenue to a houſe, where any ſuch materials are or may be found, and from time to time to carry away ſuch and ſo much thereof, as the ſaid ſurveyor or ſurveyors in their reſpective places ſhall adjudge neceſſary for amending and repairing the ſaid highway or roads, paying ſuch rates for ſuch materials to the owner or occupier of the ground from whence the ſame ſhall be digged, raiſed, gathered, and carried away, as the truſtees, or any five or more of them appointed or to be appointed to put this act in execution, ſhall adjudge reaſonable; and in caſe any difference between ſuch owner or occupier and the ſaid truſtees touching the damage aforeſaid ſhall ariſe, the judge of aſſize at the next general aſſizes and general goal delivery to be holden in ſuch county, where ſuch materials ſhall be digged, raiſed, or gathered, and from whence the ſame ſhall be carried away, may and ſhall adjudge, aſſeſs, and finally determine the ſame.

if not ſufficient, in any grounds not built on, or park, &c. by order of 5 truſtees,

paying as by truſtees adjudged,

difference as to the damage determined at aſſizes,

VII. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſurveyor or ſurveyors, and ſuch perſon or perſons as he or they ſhall appoint, from time to time to remove and prevent any annoyance or annoyances or any part of the ſaid highway or road hereby intended to be made and amended or repaired by filth, dung, aſhes, rubbiſh, watercourſes, ſinks, or drains running into the ſaid highway or road, and to cleanſe any ditch or watercourſe adjoining to the ſaid road, and to cut down, lop, or top any trees or buſhes growing on the ſaid highway, or in the hedges or banks immediately adjoining upon the ſaid highway, and to take away and remove the ſame, the owner or occupier neglecting to cut down ſuch trees or buſhes, or to remove ſuch annoyance or annoyances, for the ſpace of ten days after notice in writing given for that purpoſe under the hands of five or more of the ſaid truſtees, the charges thereof ſhall be reimburſed by ſuch owner or occupiers neglecting to cut down the ſaid trees or buſhes, or to remove ſuch other annoyance or annoyances as aforeſaid; and if after the removal of ſuch annoyance or annoyances any perſon or perſons ſhall again offend in like kind, every ſuch perſon or perſons ſo offending, and being thereof convicted upon the oath of one or more witneſs or witneſſes before one or more juſtice or juſtices of

Surveyors may remove annoyances, on owner's neglect 10 days after written notice by 5 truſtees,

charges reimburſed,

A. D. 1779-80. Chap. 45.

the peace for the ſaid county, where ſuch offence ſhall be committed, which oath the ſaid juſtices are hereby required to adminiſter, and to enquire into and determine upon the ſaid offences in a ſummary way, ſhall for every ſuch offence forfeit and pay unto the ſaid truſtees, where ſuch offence ſhall be committed, ten ſhillings to be levied in manner aforeſaid.

on conviction of 2d offence on oath before a juſtice, 10s. forfeited to truſtees.

VIII. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid ſurveyor or ſurveyors by order of the ſaid truſtees, or any five or more of them, to make or cauſe to be made drains through any grounds lying contiguous to the ſaid roads, and to erect arches of brick, timber, or ſtone thereupon, and alſo to widen any of the narrow parts of the ſaid highway or roads by opening, clearing, and laying into the ſaid highway or road any ground of any perſon or perſons lying contiguous to ſuch highway or road, ſuch ground to be uſed in any of the ways above mentioned not being built upon, and not being a park, garden, orchard, yard, planted walk or avenue to a houſe, and alſo to cauſe ditches or trenches to be made in ſuch places as aforeſaid, and in ſuch manner, as the ſaid truſtees, or any five or more of them, ſhall adjudge neceſſary, for the better amending and keeping of the ſaid highway or road in good repair, making ſuch reaſonable ſatisfaction to the owner or occupier of ſuch ground, which ſhall be ſo laid in or unto ſuch highway or road, or through which any ſuch drain or drains ſhall be cut, on which any ſuch arch or arches ſhall be made, for the damages which he or they ſhall or may thereby ſuſtain, as ſhall be aſſeſſed and adjudged by the judge or judges of the aſſizes, to be holden next after the ſame ſhall be done, or by the juſtices of the peace, or the major part of them, at the next general aſſizes or quarter ſeſſions to be holden for the county in which ſuch ground lies, which ſhall be laid into the ſaid highway or road, and through which any ſuch drain or drains, ditch or ditches, ſhall be cut or made, or on which ſuch arch or arches ſhall be erected or made, or ſuch ground ſhall be laid into the ſaid roads, in caſe of any difference concerning the ſame, which the ſaid judges of aſſize, or juſtices at the quarter ſeſſions are hereby authorized to hear and determine in a ſummary way; and if any owner or occupier of any water courſes, ditch or ditches, adjoining to the ſaid highway or road, ſhall neglect or refuſe to ſcour or cleanſe ſuch water courſe or water courſes, and to make ſuch ditch or ditches ſo deep and in ſuch manner, as the ſurveyor or ſurveyors ſhall adjudge proper and convenient, after eight days notice ſhall be given for that purpoſe by ſuch ſurveyor or ſurveyors, or ſuch perſon or perſons as ſhall be appointed by him or them,

Drains made thro' grounds contiguous, and arches erected and the road widened,

the ground not being park, &c.

and neceſſary trenches made,

on reaſonable ſatisfaction for damage,

if any difference, determined ſummarily at aſſizes or ſeſſions,

them, to such owner or occupier, it shall and may be lawful to and for the surveyor and surveyors to set any man or men at work to scour and cleanse or make the same, and by warrant in writing under the hands and seals of any five or more of the said trustees to levy the charge thereof upon the goods or estates of the owner or owners, occupier or occupiers, of such water courses, ditch or ditches, by distress and sale of his, her, or their goods and chattles, tendering the overplus (if any be) to the said owner or occupier after all charges paid.

water courses cleansed, and ditches made convenient, owner or occupier neglecting after 8 days notice, the charge levied by distress and sale.

IX. Provided always, and be it enacted by the authority aforesaid, that if any owner or occupier shall find him or herself aggrieved by the said surveyors in making or enlarging such water courses, ditches, or any of them, of or to unnecessary or unreasonable dimensions, or in more inconvenient places, or greater number than shall be necessary, or shall demand or require unreasonable sums of money for doing the same, it shall be lawful for such owner or occupier to complain to the next quarter sessions of the peace, to be holden for the county where such cause of complaint shall arise, giving eight days notice to the said surveyor thereof, which court shall have full power and authority to give such relief in the premisses, as shall be just; and if such cause of complaint shall happen within fourteen days before the holding of such next quarter sessions, it shall be lawful in like manner to make such complaint at the second quarter sessions to be holden in such county, after the cause of such complaint shall arise.

Owner or occupier may complain to next sessions on 8 days notice to surveyor,

or to the 2d, if cause of complaint within 14 days.

X. And whereas the said highway or road, leading from the said cross of Callan through the town of Mullinahone to the town of Clonmell, may be considerably shortened and made more convenient for travellers, if the same was carried more straight and in a more direct line: and whereas it will be necessary for that purpose to depart from the line of the present road, and make new lines in different places: be it further enacted by the authority aforesaid, that it shall and may be lawful to and for the said trustees, or any five or more of them, to ascertain, describe, and set apart such part and proportion of the lands adjoining or contiguous to the said highway or road, or new line of road, as they the said trustees, or any five or more of them, shall judge necessary for carrying the same in a more direct line, or making any new line or lines for making a more straight or direct road from the said town of Mullinahone to the said town of Clonmell: provided that no part of the said lands so to be set apart be built on, and that the same be not part of any garden, orchard, yard, planted walk, or avenue to a house, or of any park or paddock for deer, or

The road may be carried in more direct line from *Mullinahone* to *Clonmell*, the land set apart by trustees not being built on, or garden, &c.

A. D. 1779-80. Chap. 45.

or any field incloſed with a ſtone wall five feet high, made with lime and ſand; and the ſaid truſtees, or any five or more of them, are hereby further authorized and empowered to treat and agree with the owner or owners, or others intereſted in the ſaid ground, to be made uſe of in carrying on the ſaid road ſtraight as aforeſaid, for ſuch recompence and ſatisfaction to be made for the ſame out of the tolls and duties ariſing by virtue of this act, as the ſaid truſtees, or any five or more of them, ſhall think fit and reaſonable; and in caſe any perſon or perſons ſhall neglect or refuſe to treat or agree as aforeſaid, or through any diſability by nonage, coverture, or ſpecial limitation in any ſettlement or ſettlements, or by reaſon of any other impediment cannot or otherwiſe howſoever ſhall refuſe to diſpoſe of their reſpective intereſts in ſuch land, as the ſaid truſtees, or any five or more of them, ſhall think convenient for the ſhortening the ſaid road, in every ſuch caſe the ſaid truſtees, or any five or more of them, are hereby authorized and empowered to iſſue forth their warrant or warrants to the ſheriff or ſheriffs of the county, wherein ſuch ground doth lie, to impannel and return before the ſaid truſtees, or any five or more of them, at ſuch time and place within the ſaid county as ſhall be appointed in ſuch warrant or warrants, (of which day and time for hearing notice is to be given to the party at leaſt five days before) a ſufficient jury, who upon their oaths, which ſaid oaths the ſaid truſtees, or any five or more of them, are hereby empowered and required to adminiſter, ſhall enquire into the true and real value of ſuch ground to be made uſe of for the ſaid highway or road; and ſuch verdicts or inquiſitions, as ſhall be found and returned by the ſaid jury, aſcertaining the value of ſuch ground, ſhall be final and concluſive as well to the ſaid truſtees as to the ſeveral and reſpective owners and proprietors of ſuch ground notwithſtanding any diſability or incapacity whatſoever.

truſtees may treat with owners for recompence,

on refuſal or diſability truſtees may iſſue warrants to ſheriffs to return a jury, to inquire the value,

5 days notice of hearing,

verdict final to truſtees & owners notwithſtanding any incapacity.

XI. And for as much as the money to be collected by ſuch receipt of the ſaid toll will not at preſent be ſufficient for the ſpeedy repairing of the ſaid highway or road: be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the grand juries of the ſaid counties of Kilkenny and Tipperary reſpectively, if they or if either of the ſaid grand juries ſhall think proper ſo to do, to preſent any ſums of money from time to time for and towards the making or repairing any parts of the ſaid road, or for building any bridge thereupon, or for the payment of any ground that ſhall be neceſſary for the making, or widening, or ſhortening the ſaid road, or for any expences attending the ſame; and the ſums ſo preſented ſhall be repaid by the

Grand juries may preſent for making or repairing, or for any bridge, or payment of ground, or expences,

the ſaid truſtees of the ſaid road out of the tolls of the ſaid road, till the ſaid ſums ſo preſented ſhall be repaid; which ſums ſo repaid ſhall be credited by the ſucceeding grand jury of the county, in which ſuch preſentment ſhall be made, to the barony or the county at large, as the caſe may happen, in caſe of the future preſentment in the ſaid barony or county.

preſentment repaid by truſtees out of the tolls.

XII. And in caſe the ſaid grand juries, or either of them, ſhall not think proper to make ſuch preſentment at either of the two next aſſizes, be it enacted by the authority aforeſaid, that then, and not otherwiſe, that the ſaid truſtees, or any five or more of them, ſhall, and may, and are hereby empowered from time to time by writing under their reſpective hands and ſeals to aſſign over the ſaid toll or duty hereby granted, or any part thereof, the coſts and charges whereof are to be borne and paid out of ſuch toll or duty, for any term or time during the continuance of this act as a ſecurity for any ſum or ſums of money, by them to be borrowed for that purpoſe, to ſuch perſon or perſons, or their truſtees, as ſhall advance or lend the ſame, to ſecure the repayment thereof with lawful intereſt, or leſs if the ſame can be ſo had, which money borrowed ſhall be applied and diſpoſed of towards all or any of the purpoſes by this act mentioned.

If ſaid grand juries do not preſent at either of two next aſſizes, five truſtees may aſſign the toll as ſecurity for money borrowed.

XIII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any nine or more of them, from time to time during the continuance of this preſent act to make out warrants or orders in writing under their hands, directed to the treaſurer or receiver of the ſaid tolls, requiring him to pay thereout to the perſon or perſons named in ſuch warrant or order, their executors, adminiſtrators, and aſſigns, the growing intereſt of the ſum of money mentioned in ſuch warrant or order, as the ſame ſhall from time to time become due, until ſuch time as the principal ſum mentioned in ſuch warrant or order ſhall be paid off and diſcharged at one intire payment, or otherwiſe: provided, that no warrant or order to be iſſued to the ſaid treaſurer or receiver by virtue of this act ſhall be for any greater ſum than fifty pounds.

Nine truſtees may iſſue order to pay out of the tolls the growing intereſt,

no order above 50l.

XIV. And be it enacted by the authority aforeſaid, that all and every perſon or perſons, to whom ſuch warrant or order ſhall be given, his, her, or their executors or adminiſtrators may by indorſements on ſuch order or orders, or receipts, transfer the rights and benefit of the ſum mentioned in ſuch warrant or warrants, order or orders; which indorſements upon notice to the treaſurer or receiver of the ſaid tolls, and an entry or memorial

Transferable by indorſment,

on notice and entry,

thereof made in a book to be kept for that purpoſe, which the ſaid treaſurer or receiver ſhall upon requeſt without charge, fee, or reward make accordingly, and ſhall on the like requeſt permit to be viewed at reaſonable hours without fee or reward, ſhall entitle the endorſee or aſſignee, his or her executors, adminiſtrators, or aſſigns, to the ſole benefit of the ſum ſo transferred or aſſigned; and that the ſaid warrant or order may in like manner be aſſigned or transferred by ſuch aſſignee, his or her executors or adminiſtrators, and ſo *toties quoties*; and that after ſuch aſſignment it ſhall not be in the power of the perſon or perſons, who made ſuch aſſignment, to make void, releaſe, or diſcharge the ſaid aſſignment, or the ſum thereby transferred or aſſigned, or any part thereof.

ſo *toties*,

not after in power of aſſignor.

Numbered.

XV. And be it enacted by the authority aforeſaid, that the treaſurer or receiver of the ſaid tolls ſhall arithmetically number all the warrants or orders, which ſhall be given or delivered out in purſuance of this act, as they ſhall be delivered out, commencing by number one, and ſo continuing the numbers until the whole be arithmetically numbered.

After diſcharge of intereſt, and repair of the road, ſurplus of tolls, when 200l. applied to pay principal, by drawing.

XVI. And be it enacted by the authority aforeſaid, that the ſeveral tolls and duties hereby made payable ſhall be applied and paid to and for the purpoſes herein before mentioned, and alſo to the diſcharge of the intereſt of ſo much money as ſhall be borrowed in purſuance of this act; and that all the ſurplus of the ſaid tolls and duties hereby made payable, over and above what ſhall be ſufficient to diſcharge the ſaid intereſt and make and repair the ſaid road, ſhall be applied in diſcharge of the principal money ſo borrowed or to be borrowed in the manner herein after mentioned, *viz.* that when and as often as ſuch ſurplus received by the ſaid treaſurer or receiver ſhall amount to the ſum of two hundred pounds, then the ſaid treaſurer or receiver ſhall cauſe the number of all the warrants or orders, which ſhall be iſſued and delivered out in purſuance of this act, and the ſums therein contained, to be written on ſeveral tickets or pieces of parchment, and to be rolled and ſealed up, and put into a box or urn, and well mixed together, and an indifferent perſon to be appointed by the ſaid truſtees, or any five or more of them, ſhall publickly between the hours of ten and twelve in the forenoon of a day, to be by the ſaid truſtees or receiver publickly advertiſed in the Dublin Gazette for that purpoſe at leaſt twenty days before, in the town of Clonmell draw out of ſuch box or urn as many of the ſaid tickets or pieces of parchment, as the ſums therein contained ſhall amount to the ſaid ſum of two hundred

pounds; and the perſon or perſons, the number of whoſe warrant or warrants, order or orders, his, her, or their executors, adminiſtrators, or aſſigns, ſhall, within twenty days after the ſaid warrants or orders ſhall be ſo drawn, be paid by the ſaid treaſurer or receiver the principal ſums to him or them reſpectively due, with the intereſt for the ſame till paid, and ſhall upon payment thereof deliver up his or their ſeveral and reſpective warrants or orders to the ſaid treaſurer or receiver to be cancelled which he is hereby required to cancel accordingly; and the intereſt payable by virtue of ſuch warrants or orders ſhall ceaſe from the expiration of twenty days, to be counted from the day of drawing ſaid tickets or pieces of parchment.

Truſtees may leaſe tolls not above two years, the rent applied to ſame purpoſes.

XVII. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any five or more of them, to make any leaſe or leaſes of the ſaid tolls for any term not exceeding two years at the higheſt rent, that ſhall be offered for the ſame by a ſolvent tenant, which ſaid rent ſhall be applied to the ſame purpoſes, for which the ſaid tolls are herein before and herein after directed to be applied.

Advertiſed 1 month, meeting in *Clonmell*.

XVIII. Provided always, and be it enacted by the authority aforeſaid, that notice ſhall be given in the Kilkenny and Clonmell newſpapers of the intention to ſet, and of the time appointed for ſuch ſetting, one month at the leaſt previous to ſuch meeting, and that ſuch meeting for ſetting the ſaid tolls ſhall be had in the town of Clonmell.

7 parts laid out in *Tipperary*, 1 part in *Kilkenny*.

XIX. And be it enacted by the authority aforeſaid, that ſeven parts of the ſaid tolls or rents ſhall be laid out on ſuch parts of the ſaid road, as lie in the county of Tipperary, and one part of the ſaid tolls or rents, in eight parts to be divided, ſhall be be laid out on ſuch parts of the ſame, as lie in the county of Kilkenny.

Places of meetings.

XX. And be it enacted by the authority aforeſaid, that all meetings of the truſtees of the ſaid road ſhall be in the town of Clonmell, Mullinahone, or Callan.

Producing ticket of payment at 1ſt gate not liable at any other,

XXI. Provided always, that in caſe there ſhall be more than one gate or turnpike in, or acroſs, or on the ſide of the ſaid highway or road, no perſon or perſons having paid the toll or duty at the firſt gate or turnpike through which ſuch perſon or perſons ſhall paſs, and producing a note or ticket that the ſaid toll or duty was paid, which note or ticket the ſaid receiver or receivers, collector or collectors, is and are hereby required to give gratis, ſhall be liable to pay any toll or duty at any other of the ſaid gates or turnpikes upon the ſaid highway or road, ſuch

A. D. 1779-80. Chap. 45.

ſuch perſon or perſons delivering the ſaid note or ticket to the ſaid receiver or receivers, collector or collectors, of the ſaid toll or duty at the latter gate or turnpike the ſame day; and no perſon or perſons having occaſion to paſs the place or places where the toll or duty is taken, who ſhall return the ſame day upon or with the ſame horſe, mare, or gelding, aſs, mule, cattle, coach, chariot, berlin, chaiſe, chair, calaſh, waggon, cart, carr, or other carriage, ſhall be liable or compellable the ſame day to pay the ſaid toll or duty more than once in the ſame road.

nor returning ſame day.

Giver and receiver of ticket to avoid toll forfeit reſpectively 10s.

XXII. And for preventing frauds and abuſes in the ſaid toll or duty be it enacted by the authority aforeſaid, that if any perſon or perſons having paid the ſaid toll or duty by this act granted and made payable, and having ſuch note or ticket, notes or tickets, as hereby directed, ſhall give and diſpoſe of the ſame to any perſon or perſons in order to avoid the payment of the ſaid toll or duty, every ſuch perſon giving, diſpoſing, or offering, and the perſon receiving, ſuch note or ticket, notes or tickets, and being thereof convicted upon the oath of any one or more witneſs or witneſſes before the ſaid truſtees, or any five or more of them, or before one or more juſtice or juſtices of the peace for the county where ſuch offence or offences ſhall be committed, which oath the ſaid truſtees and the ſaid juſtice or juſtices are hereby empowered to adminiſter, and to hear and determine the ſaid offences in a ſummary way, ſhall reſpectively forfeit and pay the ſum of ten ſhillings, to be levied, recovered, and diſpoſed of, as any other penalty or forfeiture is directed to be levied, recovered, and diſpoſed of by this act.

Five truſtees may compound,

XXIII. And be it enacted by the authority aforeſaid, that the ſaid truſtees, or any five or more of them, may and are hereby empowered, from time to time, as they ſhall ſee convenient or think fit, to compound or agree by the year or otherwiſe with any perſon or perſons uſing to travel through the turnpike or turnpikes, now erected or to be erected, with any milch cows, horſe, mare, or gelding, aſs, or mule, or with any coach, berlin, calaſh, chaiſe, chair, waggon, cart, carr, or other carriage, for any ſum or ſums of money to be paid quarterly from time to time, after ſuch agreement ſhall be made.

payable quarterly.

Exempt from toll.

XXIV. Provided alſo, and it is hereby declared, that no perſon ſhall be charged with any of the tolls or duties aforeſaid, who ſhall paſs through any of the turnpikes now erected or to be erected by virtue of this act, who ſhall carry any quantity of ſtones, gravel, or other materials for making or repairing the

ſaid

ſaid road, or any of the roads in the pariſhes in which the ſame do lie, or in any of the neighbouring pariſhes; nor ſhall any perſon or perſons be chargeable with the ſaid toll or duty for any carts, carrs, or waggons loaden with corn in the ſtraw only; nor for any plows, harrows, or other implements of huſbandry in order to the uſing or repairing of the ſame in the ſeveral pariſhes which the ſaid highway or road hereby intended to be made or repaired do lie; nor ſhall any toll or duty be demanded or taken at any of the turnpikes now erected or to be erected for any horſe, mare, or gelding, aſs, or mule, or other cattle going to water; or for any poſt horſe carrying the mail or packet, or for ſuch horſe as is or ſhall be uſed only to ride on by the owner or driver of any waggon, cart, carr, or carriage; provided ſuch horſe paſs through the ſaid turnpike or turnpikes with ſuch waggon, cart, carr, or carriage; nor ſhall any toll or duty be demanded or taken for the horſes of ſoldiers paſſing, that are upon their march, or for waggons, carts, carrs, or other carriages attending them; nor for horſes, waggons, carts, carrs, or other carriages travelling with vagrants ſent by paſſes, or with priſoners tranſmitted from one part of the kingdom to another.

Continued 61 years from 1ſt November 1780.

XXV. And be it enacted by the authority aforeſaid, that the tolls or duties hereby granted ſhall take place and have continuance from and after the firſt day of November one thouſand ſeven hundred and eighty for and during the term of ſixty one years.

On truſtees adjudication, and repayment, toll decreaſed one half,

XXVI. Provided nevertheleſs, that if at any time before the expiration of the ſaid term of ſixty one years all the parts of the ſaid road ſhall be ſufficiently made, amended, and repaired, and ſo adjudged by the majority of the truſtees, appointed or hereafter to be choſen by virtue of this act, by any adjudication made, and after repayment of ſuch ſums of money as have or ſhall have been advanced or borrowed, with intereſt for the ſame, and the coſts and charges thereof, then and in ſuch caſe the ſaid tolls and duties ſhall be decreaſed reſpectively one half of their preſent amount payable by virtue of this act; the ſaid reſerved moiety to be applied towards keeping up and preſerving the ſaid road in repair.

the other applied to keep in repair.

On vacancies or declining to act others choſen living in ſaid counties,

XXVII. And be it enacted by the authority aforeſaid, that for the continuing a ſufficient number of able perſons to be truſtees for putting in execution all and every the powers in this act contained for and during the continuance thereof it ſhall and may be lawful to and for the ſaid truſtees or any five or more of them

A. D. 1779-80. Chap. 45.

upon the death of any of the ſaid truſtees, or their removal, or refuſing or declining to act in the ſaid truſt, from time to time and at all times hereafter during the term aforeſaid to elect, nominate, and appoint in the room of ſuch truſtee or truſtees ſo deceaſed, removed, or refuſing to act, another fit and able perſon, or ſo many more fit and able perſons, living in the ſaid county of Tipperary or Kilkenny, to be joined with the ſaid truſtees in the execution of all and every the powers in them repoſed by virtue of this act; and all and every perſon and perſons ſo to be choſen truſtee or truſtees to join in putting this act in execution, as they are herein before qualified to do, ſhall and may and are hereby empowered to act to all intents and purpoſes in as full, large, and ample manner, as the ſaid truſtees are by this act empowered to do, and ſo *toties quoties* as often as occaſion ſhall require.

with like powers.

Fourteen days notice by clerk and treaſurer of board at *Clonmell* every 1ſt May, between 11 and 3,

XXVIII. And be it enacted by the authority aforeſaid, that the clerk and treaſurer of the ſaid turnpike ſhall fourteen days previous to the firſt day of May in every year during the continuance of this act give publick notice by advertiſement in the Dublin Gazette of a board to be held in the town of Clonmell in the county of Tipperary on the ſaid firſt day of May between the hours of eleven and three o'clock, at which the ſaid truſtees or any nine or more of them ſhall and may proceed to examine the ſeveral accounts of the ſaid turnpike; and the ſaid clerk and treaſurer are hereby authorized and directed to produce their reſpective books containing entries of the ſeveral receipts and payments of money and of all accounts whatſoever relating to the ſaid turnpike; at which board the ſeveral creditors of the ſaid turnpike or their agents may regiſter their reſpective debentures, and ſettle their ſeveral accounts with the ſaid clerk and treaſurer, and receive from ſaid truſtees ſuch payment of intereſt or principal, as the funds of the ſaid turnpike will enable the ſaid truſtees to make; ſuch payments to be made in ſuch manner and under ſuch reſtrictions as are already mentioned in this act.

nine truſtees to examine accounts, books produced,

creditors may regiſter debentures, ſettle accounts,

and receive intereſt or principal according to the funds.

If not a number of truſtees to act and adjourn, the clerk to appoint meeting,

XXIX. And be it enacted by the authority aforeſaid, that the ſaid truſtees or any fifteen or more of them ſhall meet at Clonmell on the ſecond day of the ſummer aſſizes, to be held for the ſaid county of Tipperary, or on the firſt Tueſday in September one thouſand ſeven hundred and eighty; and the ſaid truſtees may then adjourn themſelves and afterwards meet there, or at any other place or places near the ſaid highway or road to be made or repaired, as the ſaid truſtees or any five or more of them ſhall think proper and convenient, as often as it ſhall be neceſſary for the putting this act into execution; and if it ſhall happen, that

there

there ſhall not appear at any meeting, which ſhall be appointed to be had or held by the ſaid truſtees, a ſufficient number of truſtees to act at ſuch meeting and to adjourn to any other day, then and in ſuch caſe the clerk of the ſaid truſtees, by notice in writing to be affixed at the reſpective gates or turnpikes at leaſt ten day before the next meeting, ſhall appoint the ſaid truſtees to meet at the houſe, where the meeting of the ſaid truſtees was laſt appointed to be had, or at ſome other convenient houſe near the ſaid road, on that day fortnight upon which ſuch laſt meeting of the truſtees was appointed to have been held; and that the ſaid truſtees at their firſt meeting and at all other ſubſequent meetings ſhall defray their own charges and expences.

bear their own expences.

XXX. Provided always, and be it further enacted by the authority aforeſaid, that no perſon or perſons, appointed or to be appointed by this act a truſtee or truſtees for putting this act in execution, ſhall have or accept of any place of profit ariſing out of or by reaſon of the toll or duties by this act laid or granted, but ſuch perſon or perſons ſhall be incapable from the time of accepting and continuing to enjoy ſuch place of profit of acting as a truſtee or truſtees.

No truſtee to enjoy place of profit.

XXXI. And be it enacted by the authority aforeſaid, that if any ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, that in every ſuch caſe the action ſhall be laid in the county of Tipperary or Kilkenny, and not elſewhere; and the defendant or defendants in ſuch may plead the general iſſue and give this act and the ſpecialy matter in evidence at any trial to be had thereupon, and that the ſame was done in purſuance and by authority of this act; and if it ſhall appear ſo to be done, or ſuch action or actions ſhall be brought in any other county, that the jury ſhall find for the defendant or defendants; and upon ſuch verdict, or if the plaintiff ſhall be nonſuited, or diſcontinue his action, after the defendant or defendants ſhall have appeared, or if on any demurrer judgment ſhall be given againſt the plaintiff, the defendant or defendants ſhall and may recover treble coſts, and have the like remedy for the ſame, as any defendant or defendants hath or have in any other caſes in law.

Actions laid in *Tipperary* or *Kilkenny*,

defendants may plead general iſſue, &c.

and have treble coſts.

XXXII. And be it enacted by the authority aforeſaid, that this act ſhall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame.

A publick act.

XXXIII. Provided

A. D. 1779-80.

Continuance 61 years from 1st November 1780.

XXXIII. Provided alſo, and be it enacted by the authority aforeſaid, that the ſeveral tolls and duties hereby granted, and all other the proviſions and regulations herein contained, ſhall take place and have continuance from and after the ſaid firſt day of November one thouſand ſeven hundred and eighty for and during the term and ſpace of ſixty one years, and no longer.

On adjudication of truſtees and repayment of loan, intereſt and coſts, toll to ceaſe.

XXXIV. And be it enacted by the authority aforeſaid, that if at any time before the expiration of the ſaid term and ſpace of ſixty one years all parts of the ſaid road ſhall have been ſufficiently amended and repaired, and ſhall be ſo adjudged by the majority of the truſtees appointed, or hereafter to be choſen by virtue of this act, and if repayment ſhall have been made of ſuch money, as ſhall have been advanced or borrowed on credit of the ſaid tolls or duties, with all intereſt for the ſame when intereſt ſhall be payable, and if all the coſts and charges attending the ſame ſhall have been paid and ſatisfied, in ſuch caſe the ſaid tolls and duties ſhall ceaſe and be utterly void, any thing herein contained to the contrary notwithſtanding.

Perſons herein appointed ſhall be truſtees for the old turnpike.

XXXV. And be it enacted by the authority aforeſaid, that the ſaid perſons, herein before appointed truſtees for the ſaid road, ſhall be alſo truſtees for the old turnpike road leading from Kilkenny to Clonmell through Callen and by Ninemile houſe, and have full power to act as truſtees for the ſame, as well and in as full manner as the preſent truſtees for the ſame have power to do.

CHAP. XLVI.

An act for making and keeping in repair a road to lead from the town of Nenagh in the county of Tipperary to O'Brien's bridge in the county of Clare.

Truſtees appointed,

WHEREAS it will tend to the advantage of the inhabitants of the adjacent counties to open a direct communication between the town of Nenagh in the county of Tipperary and O'Brien's bridge in the county of Clare, and to make and keep in repair a road for that purpoſe: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that from and after the firſt day of Auguſt in the year of our Lord one thouſand ſeven hundred and eighty it ſhall and may be lawful for

for all thoſe, who are of his Majeſty's moſt honourable privy council, and all members of parliament reſident in the counties of Tipperary, Clare, Limerick, and Kerry reſpectively, as alſo for Anthony Parker ſenior eſquire, Anthony Parker junior eſquire, Michael Herd eſquire, reverend John Parker clerk, Hugh Dillon Maſſey eſquire, Richard Bourke eſquire, James Gorne eſquire, Richard White eſquire, Joſeph Henry eſquire, Silver Oliver eſquire, Sir Henry Hartſtonge baronet, the right honourable the ſpeaker, Robert Fitzgerald eſquire, Rowland Bateman eſquire, Arthur Haſſett eſquire, John Foſter eſquire, Nicholas Loyd eſquire, lord Croſbie, Maurice Coppinger eſquire, Nicholas Smith eſquire, Richard Fitzgerald eſquire, right honourable William Burton, right honourable lord Southwell, major Southwell, James Poore eſquire, Richard Gaffer eſquire, Thomas Otway eſquire, Henry Prittie eſquire, John Bayley ſenior eſquire, John Bayley junior eſquire, reverend Henry Bayley clerk, George Harden eſquire, James Freeman eſquire, Loftus Otway eſquire, Joſeph Smith eſquire, Lewis Anderſon eſquire, Samuel Harden eſquire, Ezekiel Tydd eſquire, William Smith eſquire, Morgan Carroll eſquire, John Minett eſquire, Gilbert Holmes eſquire, reverend Thomas Dawſon, Samuel Purdon eſquire, Thomas Loyd of Proſpect eſquire, John Fitzgibbon eſquire, Hercules Browning eſquire, reverend Richard Murray clerk, reverend Thomas Franklin clerk, reverend Thomas Bourgh clerk, Samuel Dickſon eſquire, Owen Toller eſquire, Dominick Trant eſquire, Thomas Smith eſquire, John Prendergaſt eſquire, biſhop of Killaloe, John Dwyer eſquire, Richard Talbot eſquire, Thomas Arthur eſquire, Chriſtopher Blake eſquire, Richard Quin eſquire, Wyndham Quin eſquire, Pierce Hunt eſquire, Standiſh Grady of Capper Cullen eſquire, Standiſh Grady of Elton eſquire, Thomas Grady eſquire, Brook Brazier eſquire, George Gough the younger eſquire, Sir Nicholas Lawleſs baronet, Dennis Daly eſquire, Dennis Bowes Daly eſquire, William Percival eſquire, Peter Holmes eſquire, who are hereby nominated and appointed truſtees of the ſaid road, and the ſurvivors of them, as alſo for thoſe whom they or any ſeven or more of them ſhall authorize and appoint, to erect or cauſe to be erected one or more gate or gates, turnpike or turnpikes, in, upon, or acroſs any part or parts of the ſaid highway and road, and alſo a toll houſe or toll houſes, and there ſhall receive and take the tolls and duties following, before any horſe, mare, gelding, cattle, coach, berlin, chariot, calaſh, chair, waggon, wain, cart, carr, or other carriages ſhall be permitted to paſs through the ſame, viz. for every coach, berlin, chariot,

A. D. 1779-80. Chap. 46.

7 may erect turnpikes, and take toll,

the toll,

A. D. 1779-80. Chap. 46.

chariot, calaſh, chaiſe, or chair drawn by ſix horſes, geldings, or mares, the ſum of one ſhilling and ſix pence; and for every coach, berlin, chariot, calaſh, chaiſe, or chair, drawn by any leſſer number of horſes, geldings, or mares, than ſix and more than two, one ſhilling; for every coach, berlin, chariot, calaſh, chaiſe, or chair, drawn by two horſes, geldings, or mares, ſix pence; for every waggon, wain, cart, or other carriage with four wheels, not drawing beams or groſs timber, the ſum of ten pence; and for every waggon, wain, cart, or other carriage drawing beams or groſs timber the ſum of one ſhilling; for every wain, cart, or carriage with two wheels, drawn by more than two horſes, mares, geldings, or oxen, the ſum of five ſhillings; for every cart or other carriage drawn by two horſes, geldings, or mares, the ſum of four pence; for every carriage commonly called a chair or chaiſe with one horſe, mare, or gelding, the ſum of four pence; for every carr or carriage drawn but by one horſe, mare, or gelding, the ſum of one penny, excepting carrs loaden with turf, and for each of them one halfpenny; and for any horſe or other cattle loaden with turf, not drawing, one halfpenny; for every other horſe, mare, gelding, mule, or aſs, loaden or unloaden, and not drawing, one penny; for every drove of oxen, cows, or neat cattle, the ſum of one ſhilling and eight pence *per* ſcore, and ſo in proportion for any greater or leſſer number; for every drove of calves, hogs, ſheep, or lambs, the ſum of five pence *per* ſcore, and ſo in proportion for any greater or leſſer number; which ſaid reſpective ſum and ſums of money ſhall be demanded and taken in the name of or as a toll or duty; and the money ſo to be raiſed as aforeſaid is and ſhall hereby be veſted in the ſaid truſtees; and the ſame and every part thereof ſhall be paid, applied, and diſpoſed, and aſſigned to and for the ſeveral uſes, intents, and purpoſes, and in ſuch manner, as is herein after mentioned and directed; and the ſaid truſtees, or any ſeven or more of them are hereby impowered by themſelves, or any perſon or perſons by them, or any ſeven or more of them under their hands and ſeals thereunto authorized, to levy the toll or duty hereby required to be paid upon any perſon or perſons, who ſhall after demand made thereof neglect or refuſe to pay the ſame, by diſtreſs of any horſe or horſes, or other cattle or goods, upon which ſuch toll or duty is by this act impoſed, or upon any of the goods and chattles of ſuch perſon or perſons who ought to pay the ſame, and may detain and keep the ſame, till ſuch toll or duty with reaſonable charges of ſuch diſtraining and keeping ſhall be paid; and it ſhall and may be

toll veſted in truſtees,

applied to uſes herein,

levied by diſtreſs,

detained till payment with charges,

be lawful to and for the perſon or perſons ſo diſtraining, after the ſpace of five days after ſuch diſtreſs made and taken, to ſell the goods diſtrained, returning the overplus (if any be) upon demand to the owner thereof, after ſuch toll, duty, and reaſonable charges for diſtraining and keeping the ſame ſhall be deducted and paid.

and ſale after 5 days.

II. And be it further enacted by the authority aforeſaid, that out of the firſt money ariſing from the profits of the ſeveral turnpikes to be erected the ſaid truſtees, or any ſeven or more of them, ſhall firſt pay and diſcharge the expence of procuring this act of parliament, and of erecting ſuch turnpike or turnpikes, or building ſuch toll houſe or toll houſes; and from and after ſuch charges and expences ſhall be fully ſatisfied and paid, that then and from thenceforth the profits ariſing and the toll to be collected at any turnpike or turnpikes, to be erected or ſet up on the ſaid road to lead from the ſaid town of Nenagh in the county of Tipperary to O'Brien's bridge in the county of Clare, ſhall be applied for and towards the amending and repairing of the ſaid road only.

Truſtees firſt to pay expences of procuring this act, and erecting turnpikes,

then to repairing ſaid road only.

III. And be it further enacted by the authority aforeſaid, that if any perſon or perſons whatſoever owning, renting, or occupying any lands near unto any gate or turnpike to be erected in purſuance of this act, ſhall for gain, reward, or otherwiſe permit any perſon or perſons whatſoever to paſs through any gate, paſſage, or way with any coach, berlin, chariot, calaſh, chaiſe, or chair, waggon, wain, cart, carr, or other carriage, or riding or driving any horſe, mule, aſs, or any other ſort of cattle, to avoid the payment of the toll hereby appointed to be paid, and ſhall be thereof convicted upon oath of one or more witneſs or witneſſes before the ſaid truſtees, or any ſeven or more of them, or before one or more juſtice or juſtices of the peace for the county wherein ſuch offence or offences ſhall be committed, who are hereby impowered and required to adminiſter ſuch oath, ſuch perſon or perſons ſhall forfeit and pay to the truſtees authorized to put this act in execution the ſum of ten ſhillings, to be levied by diſtreſs and ſale of the offender's goods by warrant under the hand and ſeal or under the hands and ſeals of the ſaid truſtees, or any ſeven or more of them, or ſuch juſtice or juſtices, rendering the overplus (if any be) to the owner, the charges in taking and diſpoſing of the ſaid goods being firſt deducted.

Permitting paſſage to avoid toll, forfeit 10s.

IV. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, to erect one or more gate or gates, turnpike

Side gates erected,

pike or turnpikes, on the ſide of the highway or road acroſs any lane or way leading out of the ſaid road, and to build one or more toll houſe or toll houſes, and there to receive and take ſuch toll as is appointed by this act to be taken, ſo as the ſame do not extend to a double charge in caſe of paſſing through any of the other turnpikes to be erected by virtue of this act from the road leading from the town of Nenagh in the county of Tipperary to O'Brien's bridge in the county of Clare.

ſo as no double charge.

V. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, at their firſt meeting, or any ſucceeding meeting, by writing under their hands and ſeals ſhall and may elect, nominate, and appoint one fit perſon to be treaſurer, and one fit perſon to be clerk, and one or more fit perſon or perſons to be receiver or receivers, collector or collectors, of ſuch money in the name of ſuch toll or duty, as ſhall be due and payable by virtue of this act; and alſo one or more fit perſon or perſons to be ſurveyor or ſurveyors to ſee the condition of the ſaid highway or road, and to ſee that the ſame be repaired and amended, and that the money ariſing and expended by virtue of this act be duly applied, and from time to time to remove ſuch treaſurer or clerk, collectors, receivers, and ſurveyors, or any or either of them, as they ſhall ſee occaſion, and appoint new ones in caſe of death or of ſuch removal; and ſuch perſon or perſons, as is or are liable by this act to pay the ſaid toll or duty, is and are hereby required to pay the ſame after the rates aforeſaid to the ſaid receiver or receivers, collector or collectors, of the ſaid toll or duty in that behalf from time to time appointed as aforeſaid for the receiving the ſaid toll or duty; and ſuch receiver or receivers, collector or collectors, as aforeſaid ſhall upon oath, if thereto required by the ſaid truſtees, or any ſeven or more of them, or before one or more juſtice or juſtices of the peace reſiding near the highway or road aforeſaid (which oath ſuch truſtees, or any ſeven or more of them, or ſuch juſtice or juſtices, is and are hereby impowered and required to adminiſter) on the firſt Tueſday in every month, or oftener if required, during the continuance of this act give in a true, exact, and perfect account in writing under their reſpective hands of all monies, which he and they, and every or any of them, ſhall to ſuch time have received, paid, and diſburſed by virtue of this act by reaſon of their reſpective offices, for which oath no fee or reward ſhall be taken; and in caſe any money ſo received ſhall remain in their or any of their hands, the ſame ſhall be paid to the ſaid truſtees, or any ſeven or more of

7 Truſtees at meeting ſhall elect officers,

remove and appoint others,

receivers to account on oath 1ſt *Tueſday* monthly, or oftener if required,

ſurplus paid to truſtees or their order,

of them, or to ſuch perſon or perſons as the ſaid truſtees or any ſeven or more of them ſhall by any writing or writings under their hands and ſeals authorize and impower to receive the ſame, which ſhall be diſburſed and laid out in amending the ſaid highway or road according to the true intent and meaning of this act, and not otherwiſe; and the ſaid truſtees, or any ſeven or more of them, to whom ſuch account ſhall be given, ſhall and may out of the money ariſing by the ſaid toll or duty make ſuch allowance to the ſaid treaſurer and clerk, receiver or receivers, collector or collectors, and the ſurveyor and ſurveyors, for and in conſideration of his and their care and pains reſpectively taken in execution of his and their office and offices, as to them ſhall ſeem good; ſo as ſuch allowance to ſuch treaſurer does not exceed the yearly ſum of thirty pounds, and that the allowance of ſuch clerk does not exceed the yearly ſum of fifteen pounds, and that the allowance or allowances to ſuch collector or collectors do not annually exceed fifteen pounds, and to ſuch ſurveyor or ſurveyors any ſum not exceeding two ſhillings and ſix pence *per* day during ſuch time or times as he or they ſhall be reſpectively employed in the repair of the ſaid roads; provided ſuch treaſurer ſhall give ſufficient ſecurity before the ſaid board of truſtees for the due execution of his office; and in caſe the ſaid treaſurer, receiver or receivers, collector or collectors, of the aforeſaid toll or duty, or any of them, ſhall not make ſuch account and payment unto ſuch perſon and perſons according to the orders and directions of the ſaid truſtees or any ſeven or more of them as aforeſaid, that then the ſaid juſtices of the peace at any ſpecial ſeſſions or meeting of them to be holden in the county, in which the ſaid treaſurer, receiver or receivers, collector or collectors, have acted or been employed, and made ſuch default as aforeſaid, ſhall and are hereby required and impowered to make enquiry, and finally determine of and concerning ſuch default, as well by the confeſſion of the ſaid parties themſelves as by the teſtimony of one or more credible witneſs or witneſſes upon oath, which oath they are hereby impowered and required to adminiſter without fee or reward; and if any perſon or perſons ſhall be convicted thereof by ſuch juſtices, the ſaid juſtices ſhall upon ſuch conviction commit the party or parties to the common gaol of the county, where ſuch offence ſhall be committed, there to remain without bail or mainprize until he or they ſhall have made a true and perfect account and payment as aforeſaid.

laid out in amending the road,

allowance to treaſurer not above 30l. yearly,

clerk 15l.

collectors 15l.

ſurveyors 2s. 6d. *per* day while employed,

ſecurity by treaſurer,

default of account and payment inquired at ſeſſions,

on conviction impriſoned 'till made.

A. D. 1779-80. Chap. 46.

Surveyors may raiſe materials out of adjoining waſte or common, without paying,

if not ſufficient, by order of truſtees in any grounds, not garden, &c. paying ſuch rate as by truſtees adjudged,

VI. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid ſurveyor or ſurveyors, and ſuch perſon or perſons as he or they ſhall appoint, to dig, raiſe, gather, take, and carry away any gravel, furze, ſand, ſtone, or other materials out of any waſte or common of any pariſh, town, village, or hamlet, in or near which any founderous or ruinous places of the ſaid highway or road do lie, and for want of ſufficient gravel, furze, ſand, ſtones, or other materials there, to dig, gather, raiſe, take, and carry away the ſame out of any waſte or common of any neighbouring pariſh, town, village or hamlet, without paying any thing for the ſame; and where there is not ſufficient of any ſuch materials in any common or waſte ground near adjoining, it ſhall and may be lawful for them by order of the ſaid truſtees, or any ſeven or more of them, to dig, raiſe, and gather the ſame in the ſeveral grounds of any perſon or perſons, not being a garden, orchard, yard, or meadow, planted walk or walks, or avenue to a houſe, where any ſuch materials are or may be found, and from time to time carry away ſuch and ſo much thereof, as the ſaid ſurveyor or ſurveyors ſhall adjudge neceſſary for the repairing and amending the ſaid highway or road, paying ſuch rates for ſuch materials to the owner or occupier of the ground from whence the ſame ſhall be digged, raiſed, gathered, and carried away, as the truſtees appointed or to be appointed to put this act in execution, or any ſeven or more of them, ſhall adjudge reaſonable; and in caſe of any difference between ſuch owner or occupier and the ſaid truſtees touching the value of the materials and the damage aforeſaid, the judges of aſſize at the next general aſſizes and general gaol delivery to be holden in the county, where ſuch materials ſhall be digged, raiſed, or gathered, and from whence the ſame ſhall be carried away, may and ſhall adjudge, aſſeſs, and finally determine the ſame.

any difference determined at next aſſizes.

Surveyors may remove or prevent annoyances,

cleanſe ditch or water courſe,

cut or lop trees or hedges, and carry away,

owner or occupier neglecting to

VII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſurveyor or ſurveyors, and ſuch perſon or perſons as he or they ſhall appoint, from time to time to remove and prevent annoyances in any part of the ſaid highway or road hereby intended to be made by filth, dung, aſhes, rubbiſh, watercourſes, ſinks, or drains running into the ſaid highway or road, and to cleanſe any ditch or water courſe adjoining to the ſaid roads, and to cut, lop, or top any trees or buſhes growing in the ſaid highways or in the hedges or banks adjacent to the ſaid highways, and to take and carry away the ſame (the owner or occupier neglecting to cut down ſuch trees or buſhes,

buſhes, or to remove ſuch other annoyances, for the ſpace of ten days after notice in writing given for that purpoſe under the hands of ſeven of the ſaid truſtees) the charges whereof ſhall be reimburſed the ſaid ſurveyor or ſurveyors by ſuch owners or occupiers neglecting to cut down the ſaid trees or buſhes, or to remove ſuch other annoyances as aforeſaid; and if after removing of any ſuch annoyances any perſon or perſons ſhall again offend in like kind, every ſuch perſon or perſons ſo offending, and being thereof convicted upon the oath of one or more witneſs or witneſſes before one or more juſtice or juſtices of the peace for the ſaid county, where ſuch offence ſhall be committed, ſhall for every ſuch offence forfeit and pay unto the ſaid truſtees the ſum of ten ſhillings to be levied in manner aforeſaid.

days after written notice by 7 truſtees, charges reimburſed,

again offending forfeit 10s.

VIII. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid ſurveyor or ſurveyors by order of the ſaid truſtees, or any ſeven or more of them, to cut and make drains through any ground lying contiguous to the ſaid road, and to erect arches of brick, timber, or ſtone thereupon, and alſo to widen any of the narrow parts of the ſaid highway or road by opening, clearing, and laying into the ſaid highway or road any ground of any perſon or perſons lying contiguous to ſuch highway or road, not being a houſe, garden, orchard, planted walk or avenue to a houſe, and alſo to cauſe ditches and trenches to be made in ſuch places and in ſuch manner as ſuch ſurveyor or ſurveyors by order of the ſaid truſtees, or any ſeven or more of them, ſhall adjudge neceſſary, for the better amending and keeping the ſaid highway or road in good repair, making ſuch reaſonable ſatisfaction to the owner or occupier of ſuch ground, which ſhall be ſo laid in or unto the ſaid highway or road, through which any ſuch drain or drains ſhall be ſo cut, or on which any ſuch arch or arches ſhall be made, for the damages which he or they ſhall or may thereby ſuſtain, as ſhall be aſſeſſed and judged by the next going judge or judges of aſſize, or by the juſtices of the peace, or the major part of them, at the next general aſſizes or quarter ſeſſions to be holden for the county, in which ſuch ground ſhall be laid into the ſaid highway or road, and through which any ſuch drain or drains, ditch or ditches, ſhall be cut or made, or on which ſuch arch or arches ſhall be erected or made, or ſuch cauſeways made, in caſe of any difference concerning the ſame; and if any owner or occupier of any watercourſes, ditch or ditches, adjoining to the ſaid highways or roads, ſhall neglect or refuſe to ſcour or cleanſe ſuch water courſes, and to make ſuch ditches ſo deep and in ſuch

Surveyors by order of 7 may make drains,

erect arches,

widen,

the ground not being garden, &c.

and make neceſſary trenches,

making ſatisfaction, as aſſeſſed next aſſizes or ſeſſions in caſe of difference,

ſurveyors on neglect after 10 days notice, may cleanſe watercourſes and deepen ditches,

A. D. 1779-80. Chap. 46.

ſuch manner, as the ſurveyor or ſurveyors ſhall adjudge proper and convenient, after ten days notice ſhall be given for that purpoſe by ſuch ſurveyor or ſurveyors, or ſuch perſon or perſons as ſhall be appointed by him or them, to ſuch owner or owners, it ſhall and may be lawful to and for the ſurveyor or ſurveyors to ſet any man or men to work to ſcour, or cleanſe, and make the ſame, and by warrant in writing under the hands and ſeals of any five or more of the ſaid truſtees to levy the charge thereof upon the goods or eſtates of the owner or owners, occupier or occupiers, of ſuch watercourſes, ditch or ditches, by diſtreſs and ſale of his, her, or their goods and chattles, rendering the overplus (if any) to the ſaid owner or occupier, after all charges ſhall be paid.

and on warrant of 5 truſtees levy the charge.

IX. And whereas the lands, through which the ſaid intended road leading from the town of Nenagh in the county of Tipperary to O'Briens's bridge in the county of Clare is to run, are the property of ſeveral perſons, and inaſmuch as all juſt and reaſonable ſatisfaction ought to be made for the land made uſe of in carrying on ſaid road: be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any nine or more of them, to aſcertain, deſcribe, and ſet apart ſuch part of the land, lying between ſaid town of Nenagh in the county of Tipperary to O'Brien's bridge in the county of Clare, for carrying on and continuing the ſaid highway or road in a ſtraight and direct line, not being houſes, gardens, avenues, plantations, or planted walks, as they the ſaid truſtees, or any nine or more of them, ſhall judge neceſſary for carrying the ſame ſtraight and in a direct line as aforeſaid; and the ſaid truſtees, or any nine or more of them, are hereby further authorized and impowered to treat and agree with the owners and others intereſted in the ſaid ground, to be made uſe of in carrying the ſaid road ſtraight as aforeſaid, for ſuch recompence and ſatisfaction to be made for the ſame out of the tolls and duties ariſing by virtue of this act, as the ſaid truſtees, or any nine or more of them, ſhall think fit and reaſonable; and in caſe any perſon or perſons ſhall neglect or refuſe to treat or agree as aforeſaid, or through any diſability by nonage, coverture, or ſpecial limitation in any ſettlement or ſettlements, or by reaſon of any other impediment cannot, or otherwiſe howſoever refuſe to, diſpoſe of their reſpective intereſts in ſuch lands, as the ſaid truſtees, or any nine or more of them, ſhall think convenient for making the ſaid road, in every ſuch caſe the ſaid truſtees, or any nine or more of them, are hereby authorized and impowered to iſſue forth their

9 Truſtees may ſet apart lands, not garden, &c. for carrying the road ſtraight,

and agree for recompence out of the tolls,

on refuſal or diſability, may iſſue warrants to ſheriffs to return a jury to inquire the value,

their warrant or warrants to the ſheriff or ſheriffs of the county, wherein ſuch ground doth lie, to impannel and return before the ſaid truſtees, or any nine or more of them, at ſuch time and place within the ſaid county, as ſhall be appointed in ſuch warrant or warrants, a ſufficient jury, who upon their oaths, (which ſaid oaths the ſaid truſtees, or any nine or more of them, are hereby impowered and required to adminiſter) ſhall enquire into the true and real value of ſuch ground to be made uſe of for the ſaid highway or road; and ſuch verdicts or inquiſitions, as ſhall be ſo found and returned by the ſaid jury aſcertaining the value of ſuch ground, ſhall be final and concluſive as well to the ſaid truſtees as to the ſeveral and reſpective owners and proprietors of ſuch ground, notwithſtanding any diſability or incapacity whatſoever.

ſuch verdict concluſive.

X. And foraſmuch as the money, ſo to be collected by ſuch receipt of the ſaid toll, will not be at preſent ſufficient for the ſpeedy making or keeping in repair the ſaid highway or road: be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any fifteen or more of them, ſhall and may, and are hereby impowered from time to time, by writing under their reſpective hands and ſeals to aſſign over the ſaid ſeparate toll or duty hereby granted, or any part thereof (the coſts and charges whereof to be borne and paid out of ſuch ſeparate toll or duty) for any term or time during the continuance of this act as a ſecurity for any ſum or ſums of money by them to be borrowed for that purpoſe, to ſuch perſon or perſons, or their truſtees, who ſhall advance and lend the ſame, to ſecure the repayment thereof, with lawful intereſt or leſs, if the ſame can be ſo had; which ſaid money borrowed ſhall be applied and diſpoſed of, as the toll or duty is by this act to be applied and diſpoſed of, and to no other uſe or purpoſe whatſoever.

15 Truſtees may aſſign toll as ſecurity for money borrowed;

applied as the toll.

XI. And be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees, or any fifteen or more of them, from time to time during the continuance of this preſent act to make out warrants or orders in writing under their hands, directed to the treaſurer or receiver of the ſaid tolls, requiring him to pay thereout to the perſon or perſons named in ſuch warrant or order, their executors, adminiſtrators, or aſſigns, the growing intereſt of the ſum of money mentioned in ſuch warrant or order, as the ſame ſhall from time to time become due, until ſuch time as the principal ſum mentioned in ſuch warrant or order ſhall be paid off and diſcharged at one entire payment: provided that no warrant or order to be iſſued to

And order payment of intereſt, till principal diſcharged at one payment;

no order above 50l.

A. D. 1779-80. Chap. 46.

the ſaid treaſurer or receiver by virtue of this act ſhall be for any greater ſum than fifty pounds.

Transferable by indorſement,

XII. And be it further enacted by the authority aforeſaid, that all and every perſon or perſons, to whom ſuch warrants or orders ſhall be given, his, her, or their executors or adminiſtrators, may by indorſements on ſuch orders or receipts transfer the right and benefit of the ſum mentioned in ſuch warrants or orders; which indorſements upon notice to the treaſurer or receiver of the ſaid tolls, and an entry or memorial thereof made in a book to be kept for that purpoſe, which the ſaid treaſurer or receiver ſhall upon requeſt without charge, fee, or reward make accordingly, and ſhall upon the like requeſt permit to be viewed at reaſonable hours without fee or reward, ſhall intitle the indorſee or aſſignee, his or her executors, adminiſtrators, or aſſigns to the ſole benefit of the ſum ſo transferred or aſſigned; and that the ſaid warrant or order may in like manner be aſſigned or transferred by ſuch aſſignee, his or her executors or adminiſtrators, and ſo *toties quoties*; and that after ſuch aſſignment it ſhall * and may be in the power of the perſon or perſons, who made ſuch aſſignment, to make void, releaſe, or diſcharge the ſaid aſſignment or the ſum thereby transferred or aſſigned, or any part thereof.

on notice and entry,

ſo *toties*, not after in power of aſſignor.

Orders numbered.

XIII. And be it further enacted by the authority aforeſaid, that the treaſurer or receiver of the ſaid tolls ſhall arithmetically number all the warrants or orders, which ſhall be given or delivered out in purſuance of this act, as they ſhall be delivered out, commencing by number one, and ſo continuing the numbers till the whole be arithmetically numbered.

Tolls applied to intereſt of money borrowed, and to repair of the road,

XIV. And be it further enacted by the authority aforeſaid, that the ſeveral tolls and duties hereby made payable ſhall be applied and paid to the diſcharge of the intereſt of ſo much money, as ſhall be borrowed in purſuance of this act, and towards repairing the ſaid road; and that all the ſurplus of the ſaid tolls and duties hereby made payable, over and above what ſhall be ſufficient to diſcharge the ſaid intereſt and repair the ſaid road, ſhall be applied in diſcharging the principal money ſo borrowed in the manner herein after mentioned, *viz.* that when and as often as ſuch ſurplus received by the ſaid treaſurer or receiver ſhall amount to the ſum of two hundred pounds, then the ſaid treaſurer or receiver ſhall cauſe the number of all the warrants or orders, which ſhall be iſſued and delivered out in purſuance of this act, and the ſums therein contained, to be written on ſeveral tickets or pieces of parchment, and to be rolled and ſealed

ſurplus when 200l. to principal, by drawing,

up and put in a box or urn, and well mixed together, and an indifferent perſon to be appointed by the ſaid truſtees, or any ſeven or more of them, ſhall publickly between the hours of ten and twelve in the forenoon of a day, to be by the ſaid treaſurer or receiver publickly advertiſed in the Dublin Gazette for the purpoſe at leaſt twenty days before, at the town of Nenagh in the county of Tipperary draw out of ſuch box or urn as many of the ſaid tickets or pieces of parchment, as the ſums therein contained ſhall amount to the ſaid ſum of two hundred pounds; and the perſon or perſons, the number of whoſe warrants or orders ſhall be ſo drawn, his or their executors, adminiſtrators, or aſſigns, ſhall, within twenty days after the ſaid warrants or orders ſhall be drawn as aforeſaid, be paid by the ſaid treaſurer or receiver the principal ſums to him or them reſpectively due, with intereſt for the ſame till paid, and ſhall upon payment thereof deliver up his and their ſeveral and reſpective warrants or orders to the ſaid treaſurer or receiver to be cancelled, which he is hereby required to cancel accordingly; and the intereſt payable by virtue of ſuch warrant or orders ſhall ceaſe from the expiration of twenty days, to be accounted from the day of drawing the ſaid tickets or pieces of parchment.

Paying at 1ſt gate not liable at any other, delivering ticket, nor returning, ſame day.

XV. Provided always, that in caſe there ſhall be more than one gate or turnpike in, acroſs, or on the ſide of the ſaid highways or roads to lead from the Town of Nenagh in the county of Tipperary to O'Brien's Bridge in the county of Clare, no perſon or perſons having paid the toll or duty at the firſt gate or turnpike, through which ſuch perſon or perſons ſhall paſs, and producing a note or ticket that the ſaid toll or duty was paid, which note or ticket the receiver or receivers, collector or collectors, is and are hereby required to give *gratis*, ſhall be liable to pay any toll or duty at any other of the gates or turnpikes upon the ſaid highway or road, ſuch perſon or perſons delivering the ſaid note or ticket to the ſaid receiver or receivers, collector or collectors, of the ſaid toll or duty at the latter gate or turnpike the ſame day; and no perſon or perſons having occaſion to paſs the place or places where the toll or duty is taken, who ſhall return the ſame day upon or with the ſame horſe, mare, gelding, aſs, mule, cattle, coach, chariot, berlin, chaiſe, chair, calaſh, waggon, cart, car, or other carriage, ſhall be liable or compellable the ſame day to pay the ſaid toll or duty more than once on the ſaid road.

XVI. And

A. D. 1779-80. Chap. 46.

Giving and receiving ticket to avoid toll, forfeit 10s. reſpectively.

XVI. And for the prevending frauds and abuſes in the ſaid toll or duty be it further enacted by the authority aforeſaid, that if any perſon or perſons having paid the toll or duty by this act granted and made payable, and having ſuch note or ticket, notes or tickets, as is hereby directed, ſhall give or diſpoſe of the ſame to any other perſon or perſons in order to avoid the payment of the ſaid toll or duty, every ſuch perſon giving, diſpoſing, or offering, and the perſons receiving, ſuch note or notes, ticket or tickets, and being thereof convicted upon the oath of one or more witneſs or witneſſes before the ſaid truſtees, or any ſeven or more of them, or before any one or more juſtice or juſtices of the peace for the county wherein ſuch offence or offences ſhall be committed, which oath the ſaid truſtees and the ſaid juſtice or juſtices are hereby impowered to adminiſter, ſhall reſpectively forfeit and pay the ſum of ten ſhillings to be levied, recovered, and diſpoſed of as any other penalty or forfeiture is directed to be levied, recovered, and diſpoſed of by this act.

7 truſtees may compound quarterly

XVII. And be it further enacted by the authority aforeſaid, that the ſaid truſtees, or any ſeven or more of them, may and are hereby impowered from time to time, as they ſhall ſee convenient or think fit, to compound or agree by the year or otherwiſe with any perſon or perſons uſing to travel through the turnpike or turnpikes to be erected with any milch cows, horſe, mare, or gelding, aſs, or mule, or with any coach, berlin, calaſh, chariot, chaiſe, chair, waggon, cart, car, or any other carriage, for any ſum or ſums of money to be paid quarterly from time to time after ſuch agreement ſhall be made.

Exempt from toll,

XVIII. Provided alſo, and be it further enacted by the authority aforeſaid, that no perſon ſhall be charged with any of the tolls and duties aforeſaid, who ſhall paſs through any of the turnpikes to be erected by this act, who ſhall carry any quantity of ſtones, gravel, or other materials for repairing the ſaid road or any of the roads in the pariſhes, in which the ſame do lie, or in any of the neighbouring pariſhes; nor ſhall any perſon or perſons be chargeable with the ſaid toll or duty for any carts, cars, or waggons loaded with corn in the ſtraw only; nor for any plows, harrows, or any implements of huſbandry in order to the uſing or repairing the ſame in the ſeveral pariſhes, in which the ſaid highways or roads hereby intended to be made do lie; nor ſhall any toll or duty be demanded or taken at any of the turnpike or turnpikes to be erected for any horſe, mare, or gelding, aſs or mule, or other cattle going to water; or for

any

for any poſt horſe carrying the mail or packet, or for ſuch horſe as is or ſhall be uſed only to ride on by the owner or driver of any waggon, cart, or other carriage; provided ſuch horſe paſs through the ſaid turnpike or turnpikes with ſuch waggon, cart, or carriage; nor ſhall any toll or duty be demanded or taken for the horſes of ſoldiers paſſing, that are upon their march, or for waggons, carts, cars, or other carriages attending them; or for horſes waggons, carts, cars, or other carriages travelling with vagrants ſent by paſſes, or with priſoners tranſmitted from one part of the kingdom to another.

Toll continued 41 years from 2d Auguſt 1780.

XIX. And be it further enacted by the authority aforeſaid, That the toll or duty hereby granted ſhall take place and have continuance from and after the ſecond day of Auguſt in the year of our lord one thouſand ſeven hundred and eighty for and during the term of forty one years.

Unleſs adjudication of truſtees before, and loan with intereſt repaid.

XX. Provided nevertheleſs, That if at any time before the expiration of the ſaid term of forty one years all parts of the ſaid road ſhall be ſufficiently amended and repaired, and ſo adjudged by the majority of the truſtees, appointed or hereafter to be choſen by virtue of this act, by an adjudication made, and repayment of ſuch money as ſhall have been advanced or borrowed with intereſt for the ſame, and the coſts and charges thereof, the ſaid tolls and duties ſhall ceaſe and determine; any thing herein contained to the contrary notwithſtanding.

7 truſtees on death, removal, or refuſing to act, may elect others living in county of Tipperary. *As to reſidence in county of Tipperary repealed by* 21 & 22 *G.* 3. *c.* 39. *ſ.* 13.

XXI. And be it further enacted by the authority aforeſaid, That for the continuing a ſufficient number of able perſons to be truſtees for putting in execution all and every of the powers in this act contained for and during the continuance thereof it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, upon the death of any of the ſaid truſtees, or their removal, or refuſing to act in the ſaid truſt, from time to time and at all times hereafter during the term aforeſaid to elect, nominate, and appoint in the room of ſuch truſtee or truſtees ſo deceaſed, removed, or refuſing to act, ſo many more fit and able perſon and perſons living in the ſaid county of Tipperary to be joined with the ſaid truſtees in the execution of all and every the power and powers in them repoſed by virtue of this act; and all and every perſon or perſons ſo to be choſen truſtee or truſtees to join in putting this act in execution, as they are herein before qualified to do, ſhall and may and are hereby impowered to act to all intents and purpoſes in as full, large, and ample a manner, as the ſaid truſtees are by this act impowered to do, and ſo *toties quoties* as often as occaſion ſhall require.

A. D. 1779-80. Chap. 46.

Trustees to meet near said road,

XXII. And be it further enacted by the authority aforesaid, That the said trustees, or any fifteen or more of them, shall meet at the town of Nenagh on the first, second, third, or fourth Monday in the month of August in the year of our lord one thousand seven hundred and eighty; and the said trustees shall then adjourn themselves, and afterwards meet there, or at any other place or places near the said highway or road to be made, as the said trustees, or any seven or more of them, shall think proper and convenient, as often as it shall be necessary for the putting this act in execution: and if it shall happen, that there shall not appear at any meeting, that shall be appointed to be had or held by the said trustees, a sufficient number of trustees to act at such meeting, and to adjourn to any other day, then and in such case the clerk of the said trustees by notice in writing to be affixed at the respective gates or turnpikes, where such numbers of trustees shall be wanting, at least ten days before the next meeting, shall appoint the said trustees to meet at the house, where the meeting of the said trustees was last appointed to be held, or at some other convenient house near the said road, on that day three weeks, upon which such last meeting of the trustees was appointed to have been held; and that the said trustees at their first meeting and at all other subsequent meetings shall defray their own charges and expences.

If not a number, the clerk shall appoint,

bear their own charges.

No trustee to have place of profit.

XXIII. Provided always, and be it further enacted by the authority aforesaid, That no person or persons appointed or to be appointed by this act a trustee or trustees for putting this act in execution, shall have or accept of any place of profit arising out of or by reason of the toll or duty by this act laid or granted, but such person or persons shall be incapable from the time of accepting and continuing to enjoy such place of profit of acting as a trustee.

Nor undertake for repairing,

XXIV. And be it further enacted by the authority aforesaid, That no such trustee or trustees shall in his or their own name, or in the name or names of any other person or persons undertake or contract for the repair of the said roads, or any part of them, whereby any profit may arise to him or them, but that from such time he or they shall cease to be a trustee or trustees; and that any person or persons, that shall undertake or contract for the repairing or amending the said roads or any part of them, shall if required take an oath before the said trustees respectively, or any seven or more of them, which oath they have hereby power to administer, that he or they do undertake the same for his or their own use, and not for the use of or in trust for any such trustee or trustees whatsoever.

oath of undertaking for the person's own use, and not for a trustee.

XXV. And

A. D. 1779-80.

Suits for acting laid in Tipperary.

XXV. And be it further enacted by the authority aforesaid, That if any suit shall be commenced against any person or persons for any thing done in pursuance of this act, That in every such case the action shall be laid in the said county of Tipperary, and not elsewhere; and the defendant or defendants in such action or actions to be brought may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear so to be done, or such action or actions shall be brought in any other county, that then the jury shall find for the defendant or defendants; and upon such verdict, or if the plaintiff shall be nonsuited, or discontinue his action, after the defendant or defendants shall have appeared, or if on any demurrer judgment shall be given against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same, as any defendant or defendants hath or have in other cases by law.

Defendants may plead general issue, &c.

and have treble costs on nonsuit, &c.

A publick act.

XXVI. And be it enacted by the authority aforesaid, That this act shall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as such by all judges, justices, and other persons whatsoever, without specially pleading the same.

CHAP. XLVII.

An Act for amending and making more effectual an Act for repairing the Road leading from the Town of Nenagh in the County of Tipperary through the Towns of Birr and Firbane in the King's County to Curranaboy Bridge on the Turnpike Road leading to Athlone in the County of Westmeath, and also for other Purposes therein mentioned.

Repealed by 25 G. 3. c. 33.

WHEREAS by an act passed in the thirteenth year of the reign of his late Majesty King George the second, entitled, *An act for repairing the road leading from the town of Nenagh in the county of Tipperary through the towns of Birr and Firbane in the King's county to Curranaboy bridge on the turnpike road leading to Athlone in the county of Westmeath*, in which a certain number of persons therein particularly named were appointed trustees for carrying the purposes of said act into execution, with power on vacancies by death or otherwise removed to elect other trustees in the room of those, who either died or were otherwise removed: And whereas by an act passed in the seventeenth and eighteenth years of his pre-

A. D. 1779-80. Chap. 47.

ſent Majeſty's reign, entitled, *An act for altering, amending, and making more effectual an act for repairing the road leading from the town of Nenagh in the county of Tipperary through the towns of Birr and Parſons in the King's county to Curraneley bridge on the turnpike road leading to Athlone in the county of Weſtmeath, and alſo for other purpoſes therein mentioned*, and whereas a certain number of new truſtees were appointed by virtue of ſaid recited act, and the names of a great number of the old truſtees under the ſaid recited act of the thirteenth year of the reign of his late Majeſty King George the ſecond omitted to the number of eighty three: And whereas doubts have ariſen, whether the omitting in the ſaid recited act of the ſeventeenth and eighteenth years of his preſent Majeſty the names of thoſe perſons who were legally elected truſtees under and by virtue of the ſaid recited act of the thirteenth of his ſaid late Majeſty, has diſqualified them to act as truſtees under the ſaid act of the ſeventeenth and eighteenth years of his preſent Majeſty: be it enacted by the King's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That the following perſons, (that is to ſay) Davis Daly of Caſtle Daly eſquire, Owen Mooney eſquire, Thomas Coghlan eſquire, Patrick Kelly eſquire, Charles Coghlan eſquire, Anthony Atkinſon eſquire, George Armſtrong eſquire, Archibald Armſtrong eſquire, captain Andrew Armſtrong of Garry Caſtle, captain Thomas Armſtrong, reverend John Mullock clerk, reverend Dean Handcock clerk, John King, eſquire, Robert Lawder eſquire, Richard Woods eſquire, Francis Enraght eſquire, Owen Enraght eſquire, Berclay Clibborn eſquire, John Robinſon eſquire, Thomas Robinſon eſquire, Joſeph Robinſon eſquire, Michael Telford eſquire, Henry Dungan eſquire, James Jackſon eſquire, Gilbert Holmes eſquire, William Horn eſquire, Arthur Judge eſquire, Peter Marſh of Ballynamentam eſquire, John Judge eſquire, Joſeph Henderſon eſquire, Thomas Henderſon eſquire, Edward Birmingham eſquire, Hugh Coolahan eſquire, Milo Baggot eſquire, Daniel Baggot eſquire, George Stepney eſquire, Andrew Armſtrong of Clara Houſe eſquire, Andrew Armſtrong of Clara Houſe, junior, eſquire, Edmond Armſtrong of Clara Houſe eſquire, John Ardell eſquire, William Guſtavus Adamſon eſquire, reverend James Marſhall clerk, [illegible] Connel eſquire, Francis Longworth eſquire, Peter Longworth eſquire, Richard Mathew eſquire, Thomas Kingſton eſquire, Edmond Branſthwaite Homan eſquire, George Homan eſquire, reverend Mr. Bayly clerk, John Holmes of Athlone eſquire, Richard Holmes

Holmes of Bolart esquire, Cuthbert Fetherstone esquire, George Adamson esquire, John Adamson esquire, John Drought esquire, John Drought junior, esquire, Henry Malone esquire, Maurice O'Connor esquire, Hugh Wray esquire, Henry Peasly L'Estrange esquire, George Clark esquire, William Brereton esquire, John Coghlan esquire, William Gray esquire, captain Dalton, reverend Thomas Apjohn clerk, William Jessop esquire, George Jessop esquire, William Jessop junior, esquire, Garret Dillon esquire, Charles Lennon esquire, Richard Homan esquire, William Briggs esquire, Robert Kelly esquire, Daniel Longstaff esquire, reverend doctor Launcelot Lowe clerk, honourable Robert Moore, Borachia Lowe esquire, Thomas Dame esquire, Francis Geoghegan esquire, John Geoghegan esquire, Ulysses North esquire, Charles North esquire, Philip North esquire, and Edmond L'Estrange esquire, who were elected trustees under the said recited act of the thirteenth year of his late Majesty, shall from and after the said first day of August one thousand seven hundred and eighty be deemed to be trustees in said recited act of the seventeenth and eighteenth years of his present Majesty as fully and effectually to all intents and purposes, as if their names had been particularly set forth and specified in said recited acts of the seventeenth and eighteenth years of his present Majesty, any thing contained in the said last recited act to the contrary notwithstanding.

II. And be it enacted by the authority aforesaid, That all and every the powers, authorities, articles, rules, penalties and clauses in the said recited acts of the thirteenth of his said late Majesty and the seventeenth and eighteenth years of his said present Majesty contained, (except what are hereby altered) shall be of full force and effect, and shall continue during the continuance of the said recited act of the seventeenth and eighteenth years of his said present Majesty for the intents and purposes in the said recited acts and herein contained, as if the same powers and authorities granted and given by the said acts were herein again repeated and re-enacted in the body of this present act; any thing in the said former acts contained to the contrary notwithstanding.

III. And be it further enacted by the authority aforesaid, That this act shall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as such by all judges, justices, and other persons whatsoever without specially pleading the same.

CHAP. XLVIII.

An Act for amending an Act made in the Thirteenth Year of His late Majesty George the Second, entitled, *An Act for repairing and amending the Road leading from the Town of Clonmell in the County of Tipperary through the Towns of Clogheen, Mitchelstown, and to Doneraile in the County of Cork; and another Act passed in the twenty ninth Year of His said late Majesty's Reign*, entitled, *An Act for amending and repairing the said Road, and for other Purposes.*

WHEREAS the said road is in many parts of it in a ruinous condition: be it enacted by the King's most excellent Majesty by and with the advice and consent of the lords spiritual and temporal and commons in this present Parliament assembled, and by the authority of the same, That the tolls of the several turnpike gates on the said road shall be encreased one third over and above the tolls now payable, black cattle and sheep only excepted, for which no encrease tolls shall be paid; the said encrease tolls to be payable for the term of five years, and no longer, and to commence from the first day of August in the year one thousand seven hundred and eighty.

Tolls increased 1-3d, except for black cattle and sheep, for 5 years from 1st August 1780.

II. And be it enacted by the authority aforesaid, That all tolls or rents arising from that part of the said road lying in the county of Tipperary shall be applied to the repairing of such part of the said road, as lies in the said county, and to no other use, intent, or purpose whatsoever, save only to the payment of the treasurer's salary, or of three fourths of the same, whilst there shall be one treasurer only for the entire road in the said two counties; and that the tolls arising in the county of Cork shall be in like manner applied to the repairing of such parts of the said road, as lie in the said county.

Tolls applied in the respective counties,

save treasurer's salary, while one for the entire road.

III. And be it enacted by the authority aforesaid, That the treasurer shall keep distinct and separate books containing accounts of the said tolls or rents, and of all transactions, proceedings, and orders relative to the said road; one of the said books to comprehend all matters relative to the said Tipperary road, and the other book to comprehend all matters relative to the said road in the county of Cork.

Treasurer to keep separate books for the two counties.

IV. And whereas the tolls of the said several gates have been set for two years from the first day of May one thousand seven hundred and seventy nine at the yearly rent of two hundred and twenty two pounds fifteen shillings without discriminating the

1661. 13s. of rent accounted for to Tipperary,

rents

rents payable for ſuch of the ſaid gates, as lie in the county of Tipperary: be it enacted by the authority aforeſaid, That one hundred and ſixty ſix pounds thirteen ſhillings of the ſaid rent ſhall be accounted for to the ſaid county of Tipperary, and the remaining part of the ſaid two hundred and twenty two pounds fifteen ſhillings, being fifty ſix pounds two ſhillings, ſhall be credited to the ſaid county of Cork road.

56l. 2s. to Cork.

V. And whereas the tenant of the ſaid gates is willing in conſideration of the increaſe of the ſaid tolls, to make a proportionable increaſe in his rent: be it enacted by the authority aforeſaid, That ſuch increaſed rent ſhall be diſtributed between the roads in the ſaid two counties in the proportion above mentioned.

Increaſed rent diſtributed in ſaid proportion.

VI. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any nine or more of the ſaid truſtees to make one or more ſeparate leaſe or leaſes of the gates on the ſaid road in the county of Tipperary, and one or more ſeparate leaſe or leaſes of the gates on the road in the county of Cork, from and after the firſt day of May one thouſand ſeven hundred and eighty one, for any term not exceeding two years, at the beſt rent that can be had for the ſame from a ſolvent tenant or tenants, the treaſurer of the ſaid road firſt giving three months previous notice of the time and place of ſetting; ſuch notice, if it ſhall relate to the county of Cork gates, to be inſerted in ſome news paper printed in the city of Cork; and if it ſhall relate to the county of Tipperary gates, to be inſerted in ſome news paper printed in the town of Clonmell.

9 truſtees may make ſeparate leaſes of reſpective road for two years, from 1ſt May 1781, at beſt rent from ſolvent tenants,

advertiſed 3 months in reſpective papers.

VII. Be it enacted by the authority aforeſaid, That all boards hereafter to be held, and all leaſes to be made, and all buſineſs whatever to be tranſacted relative to the ſaid gates and road in the county of Tipperary, ſhall be held at the following and no other places, the towns of Clonmell, Ardfinan, Clogheen, and Ballyporeen; and all boards held and buſineſs tranſacted relative to the ſaid gates and road in any other place ſhall be null and void to all intents and purpoſes, any ſtatute to the contrary thereof in any wiſe notwithſtanding.

VIII. And whereas it is neceſſary to appoint additional truſtees, who reſide in or near the line of the ſaid part of the ſaid road lying in the county of Tipperary: be it enacted by the authority aforeſaid, That the perſons herein after mentioned, ſhall be and are hereby appointed truſtees of the ſaid road, viz. his grace the archbiſhop of Caſhell, the biſhop of Waterford, lord Cahir, Francis Mathew and Henry Prittie eſquires, the earl of Clanwilliam,

Additional truſtees appointed.

A. D. 1779-80. Chap. 48.

Clanwilliam, lord viſcount Mountcaſhell, the right honourable lord Kingſborough, Cornelius O'Callaghan the elder and Cornelius O'Callaghan the younger eſquires, David Walſh eſquire, William Perry eſquire, Richard Perry eſquire, William Barton eſquire, the right honourable John Hely Hutchinſon, the right honourable ſir William Oſborne baronet, Thomas Oſborne eſquire, the right honourable ſir Henry Cavendiſh baronet, ſir Edward Newenham knight, the mayor of Clonmell for the time being, Richard Hely Hutchinſon eſquire, Stephen Moore eſquire, Guy Moore Coote eſquire, Richard Pennefather eſquire, William Pennefather eſquire, ſir Cornwallis Maude baronet, ſir William Barker baronet, Thomas Moore eſquire, Richard Moore of Chancellorſtown eſquire, Thomas Chudleigh Moore eſquire, John Power eſquire, Bury Palliſer eſquire, Michael Green eſquire, John Bagwell of Kilmore eſquire, John Bagwell of Belgrove eſquire, William Ryall eſquire, Phineas Ryall eſquire, captain Mitchell, reverend doctor Joſeph Moore, reverend Peter Carey, Thomas Weſton eſquire, attorney, the reverend James Denny, Hamilton Lowe Butler eſquire, John Miles eſquire, William Bagwell eſquire, Thomas Clutterbuck eſquire, Chriſtopher Kellet eſquire, Thomas Prendergaſt eſquire, Thomas Quinn eſquire, Robert Serjeant gentleman, Maurice Lonergan gentleman, William Lonergan gentleman, Thomas Lonergan gentleman, Thomas Forreſt gentleman, Thomas Dobbyn gentleman, Richard Dobbyn gentleman, and William Allſop gentleman.

7 may remove treaſurer on not attending.

IX. And be it enacted by the authority aforeſaid, That the treaſurer of the ſaid road ſhall duly attend the meetings of the truſtees, and in default thereof, that it ſhall and may be lawful to and for the truſtees of the ſaid road, or any ſeven of them, at any meeting to remove the treaſurer for the time being from being treaſurer of the part of the ſaid road in the ſaid county, when he ſhall not duly attend as aforeſaid.

Of 131l. 16s. 1½d. in treaſurer's hands 5th May 1780, 98l. 17s. applied to Tipperary road,

X. And whereas there remained in the treaſurer's hands on the fifth day of May one thouſand ſeven hundred and eighty the ſum of one hundred and thirty one pounds ſixteen ſhillings and one penny halfpenny after all allowances to that day: be it enacted by the authority aforeſaid, That the ſum of ninety eight pounds ſeventeen ſhillings, being part of the ſaid ſum, ſhall be applied towards the repair of the ſaid county of Tipperary road,

32l. 19s. 1½d. to the Cork road.

and the remaining part of the ſaid ſum, being thirty two pounds nineteen ſhillings and one penny halfpenny, ſhall be applied towards the repair of the ſaid county of Cork road.

A. D. 1779-80.

CHAP. XLIX.

An act for altering, amending, and continuing, and making more effectual an act made in the thirteenth and fourteenth years of the reign of his preſent Majeſty, entitled, *An act for amending and repairing the road leading from the city of Cork to the brook, which bounds the counties of Cork and Tipperary near the foot of Kilworth mountain, and on to Knockboy turnpike gate, and other purpoſes.*

WHEREAS an act paſſed in the thirteenth and fourteenth years of the reign of his preſent Majeſty, entitled, *An act for amending and repairing the roads leading from the city of Cork to the brook, which bounds the counties of Cork and Tipperary near the foot of Kilworth mountain, and from thence to the road leading from the town of Clonmell in the county of Tipperary through the towns of Clogheen, Mitchelſtown, and to Doneraile in the county of Cork:* and whereas the ſaid road is at preſent in a very bad ſtate and in want of repair, and it is found by experience, that the tolls and duties granted and made payable by an act paſſed in the ſeventh year of the reign of his late Majeſty king George the ſecond, entitled, *An act for repairing the road leading from the city of Cork to the brook, which bounds the counties of Cork and Tipperary, near the foot of Kilworth mountain, and for other purpoſes therein mentioned*, have not been ſufficient to keep the ſaid road in order and repair; and that notwithſtanding the ſums already expended the ſaid road is now in a ruinous condition, and it is found expedient to make the ſeveral proviſions herein after mentioned for the more effectual amending, repairing, and keeping the ſaid road leading from the city of Cork to the brook, which bounds the counties of Cork and Tipperary, near the foot of Kilworth mountain in good order and repair: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that for the better ſurveying, ordering, amending, and keeping in repair the ſaid road leading from the city of Cork to the brook, which bounds the counties of Cork and Tipperary, near the foot of Kilworth mountain, the perſons in the ſaid act of the thirteenth and fourteenth years of his preſent Majeſty's reign named, and none others, be the truſtees for putting the ſaid recited acts and this preſent act in execution; and that the ſaid truſtees, or any ſeven or more of them, or ſuch perſon or perſons as they ſhall authorize

13 & 14 *G.* 3. c. 29.
7 *G.* 2. c. 20.

truſtees named in 13 & 14 *G.* 3. c. 29, and none others, ſhall be truſ-

A. D. 1779-80. Chap. 49.

authorize or appoint, may after the first day of August one thousand seven hundred and eighty in lieu of the several tolls and duties impowered to be raised, levied, or taken in and by the said former acts, or any of them, receive and take the tolls and duties following, before any horse, mare, mule, gelding, cattle, coach, berlin, chariot, chaise, or chair, capriole, waggon, wain, cart, car, truckle, or other carriage, shall be permitted to pass through the same, to wit, for every coach, berlin, chariot, calash, chaise, or chair drawn by four horses, geldings, mares, or mules one shilling and six pence; for every coach, berlin, chariot, calash, chaise or chair, drawn by two horses, geldings, mares, or mules the sum of one shilling and one penny; for every waggon, wain, cart, or other carriage with two wheels, drawn by one or two horses, geldings, mares, mules, or bullocks, (except carts or carriages drawing turf, corn in sheaves, and hay to the haggards of persons living adjacent to the said road, and not for sale) the sum of six pence; for every wain, cart, or other carriage, with two wheels, drawn by three or more horses, mares, geldings, mules, or oxen, the sum of one shilling and six pence; for every carriage commonly called a chair, chaise, or capriole, drawn by one horse, mare, mule, or gelding, the sum of six pence; for every car, truckle, or other carriage, drawn by one horse, mare, mule, gelding, or bullock, the sum of two pence; for every other horse, mare, or gelding, mule, or ass, laden or unladen, not drawing, the sum of three halfpence; for every drove of oxen, cows, or neat cattle, the sum of one shilling and eight pence *per* score, and so in proportion for any greater or less number; for every drove of calves, hogs, sheep, goats, or lambs, the sum of ten pence *per* score, and so in proportion for any greater or less number; which said respective sum or sums of money shall be deemed and taken in the name of or as a toll or duty, any thing in the said former acts, or any of them, to the contrary notwithstanding; and that the money so to be raised may be by the said trustees, or any seven or more of them, vested in the said trustees, and the same; and every part thereof may be paid, applied, and disposed of in manner and for the same purposes, as in and by the said former acts is directed, save as herein after mentioned.

tees for executing this and said acts, seven, or such as they appoint may take toll following in lieu of former,

the toll,

vested in trustees.

applied as in said acts, save as herein after.

II. And be it enacted by the authority aforesaid, that the treasurer of the said road may out of the first money, which shall be in his hands arising by the tolls and duties aforesaid, first pay and discharge the expences of procuring this act of parliament.

Treasurer first to pay expences of this act.

III. And

Tolls continued from 1ſt *Auguſt* 1780, 41 years, &c.

III. And be it further enacted by the authority aforeſaid, that the tolls or duties hereby granted ſhall take place and have continuance from and after the firſt day of Auguſt one thouſand ſeven hundred and eighty for and during the term of forty one years, and until the end of the next ſeſſion of parliament; and that all and every powers, authorities, articles, rules, penalties, and clauſes in the ſaid recited acts of the ſeventh of his late Majeſty king George the ſecond and the thirteenth and fourteenth of his preſent Majeſty contained, except what are hereby altered, ſhall be of full force and effect, and ſhall continue and be executed, from and after the ſaid firſt day of Auguſt one thouſand ſeven hundred and eighty for and during the term of forty one years, and from thence to the end of the then next ſeſſion of parliament, for the intents and purpoſes in the ſaid acts as herein mentioned, as if the ſame powers and authorities granted and given by the ſaid acts were herein again repeated and re-enacted in the body of this preſent act, any thing in the ſaid acts contained to the contrary thereof notwithſtanding.

and all clauſes in ſaid acts, ſave as altered,

G. jury for county of *Cork* may preſent for treaſurer 50l. a year above ſums now impowered to preſent,

IV. And whereas it is expedient, that the grand jury of the county of Cork ſhall have power to preſent a greater yearly ſum for the treaſurer of the ſaid county, than they by the laws now in force are impowered to do, the ſaid county being of a large extent, and requiring a treaſurer very converſant in accounts, and who can give ſecurity for the large ſums neceſſary to be raiſed in that county: be it enacted by the authority aforeſaid, that from and after the twenty fourth day of June one thouſand ſeven hundred and eighty the grand jury at the aſſizes to be held for the ſaid county from time to time ſhall have power, if they think fit, to make preſentments in the uſual manner for raiſing any ſum not exceeding fifty pounds a year for the treaſurer of the ſaid county for the time being, over and above the ſums which the grand jury of the ſaid county is impowered by the laws now in force to preſent for ſuch treaſurer, and the judges at ſuch aſſizes ſhall and may confirm the ſaid preſentment.

confirmed at aſſizes.

A publick act.

V. And be it further enacted by the authority aforeſaid, that this act ſhall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as ſuch by all judges, juſtices, and all other perſons whatſoever, without ſpecially pleading the ſame.

CHAP.

A. D. 1779-80.

CHAP. L.

An act for further enforcing a due execution of the laws relative to turnpike roads in this kingdom.

Turnpike treaſurers ſhall by firſt *October* yearly return to clerks of peace copies of every leaſe, article or agreement of the gates or tolls, and ſums received and paid from laſt return, with the perches repaired,

WHEREAS many of the turnpike roads in this kingdom have been for ſeveral years paſt much neglected, and are now greatly out of repair: be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that the treaſurers of the ſeveral turnpike roads in this kingdom reſpectively ſhall on or before the firſt day of October one thouſand ſeven hundred and eighty depoſite with the clerks of the peace of the counties reſpectively, * though which the turnpike roads of this kingdom, or any part thereof is or are carried, true copies of all and every leaſe and leaſes, articles and agreements, whereby the turnpike gates or tolls of the ſaid roads reſpectively are now ſet or agreed to be ſet, together with a true account of all ſums received and paid on account of the ſaid road, down to the day of depoſiting the ſaid account, and ſhall afterwards return to the ſaid clerks of the peace on or before the firſt day of October in every year copies of every leaſe, article, and agreement, that ſhall be made of the ſaid gates or tolls, or of any of them, together with a true account of the ſums that ſhall be received and paid on account of the ſaid road from the time of making the laſt return, together with the number of perches of the ſaid road which ſhall have been repaired from the time aforeſaid.

Treaſurer, not complying with orders herein, or not returning as by 13 & 14 *G.* 3. c. 26. fined 50l.

II. And be it enacted by the authority aforeſaid, that if any treaſurer of any turnpike road in this kingdom ſhall fail to comply with the orders hereby given, or with any of them, or ſhall hereafter fail to make ſuch returns, as are directed to be made by a ſtatute made in this kingdom in the thirteenth and fourteenth years of the reign of his preſent Majeſty, entitled, *An act for enforcing a due execution of the laws relative to turnpike roads in this kingdom*, it ſhall and may be lawful to and for any one of the juſtices of aſſize for the ſaid county to examine upon oath the clerk of the peace touching the ſaid returns, and to fine every treaſurer neglecting or omitting to make ſuch returns as aforeſaid in any ſum not exceeding the ſum of twenty pounds, and to order execution againſt the body, goods, and lands of the ſaid treaſurer for the ſaid ſum.

execution ordered.

III. Provided

A. D. 1779-80. Chap. 50.

III. Provided always, that no ſuch fine ſhall be impoſed for any neglect, that has happened in not complying with the directions of the ſaid ſtatute of the thirteenth and fourteenth years of his preſent Majeſty at any time before the paſſing of this act; and that where ſuch fine ſhall be impoſed, there ſhall be no proceeding for the forfeiture of twenty pounds mentioned in the ſaid laſt mentioned ſtatute.

No fine for not complying with 13 & 14 *G.* 3. c. 26. before this act; and where fined no proceeding for the 20*l.* therein.

IV. And be it enacted by the authority aforeſaid, that every ſuch treaſurer ſhall verify upon oath before two magiſtrates of the county or of one of the counties, through which the ſaid road paſſes, which oath the ſaid magiſtrates are hereby empowered and required to adminiſter, that the ſaid return is a true and juſt return to the beſt of his knowledge and belief; which oath ſhall be ſigned by the ſaid treaſurer at the foot of the ſaid account, and by the ſaid magiſtrate.

Return on oath before 2 magiſtrates. ſigned at foot of the account by treaſurer and ſaid magiſtrate.

V. And be it enacted by the authority aforeſaid, that the ſaid clerks of the peace ſhall carefully keep and preſerve the ſaid paper, ſo to be depoſited with them, in their offices reſpectively; and for every failure or neglect ſhall be fined by the judge of aſſize in any ſum of money not exceeding twenty pounds, and ſhall be ordered into execution for the ſaid ſum.

Paper depoſited kept carefully in the office, or fine 20*l.* and into execution.

VI. And be it enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the grand jury of every county to call every ſuch treaſurer before them, and to examine him upon oath, firſt ſending him to one of the judges to be ſworn, touching the ſtate of the ſaid road, and all matters whatſoever relative to the tolls, rents, debts, and credits of the ſame; and if it ſhall appear to the ſaid grand jury by an affidavit to be ſworn before one of the judges of aſſize for the ſaid county, that any part of the ſaid road is in bad repair or condition, and that the money remaining in the treaſurer's hands is ſufficient for repairing the ſaid part of the ſaid road, or that the rents reſerved for the ſaid tolls will be ſufficient for repairing the ſame within a certain time, to be aſcertained by the ſaid grand jury, that in every ſuch caſe it ſhall and may be lawful to and for the ſaid grand jury to make a preſentment, that the ſaid treaſurer ſhall within a certain time to be mentioned in ſuch preſentment cauſe to be repaired ſuch parts of the ſaid road, as ſhall be deſcribed in the ſaid preſentment; and that in caſe the judge of aſſize ſhall ſeal the ſaid preſentment, that the ſaid treaſurer ſhall be bound to cauſe the ſaid road to be repaired purſuant to the ſaid preſentment.

Treaſurer ſworn before a judge, examined by G. jury.

On affidavit of part of the road in bad condition, and ſufficient in treaſurer's hands, or by rents, to repair, preſentment for treaſurer to repair in a certain time,

ſealed by the judge.

A. D. 1779-80

If query not answered next assizes, execution against treasurer for the sum.

VII. And be it enacted by the authority aforesaid, that if at the next ensuing assizes the query on the said presentment shall not be answered in such a manner as to satisfy the court, that the said work has been done pursuant to the said presentment, it shall and may be lawful to and for the said judge to order execution against the body, goods, and lands of the said treasurer for the sum mentioned in the said presentment.

Fines and sums paid over to treasurer of the turnpike, applied to repair.

VIII. And be it enacted by the authority aforesaid, that the several fines which shall be so imposed, and the sums which shall be paid by virtue of the said executions, shall be paid over to the treasurer of the said turnpike road, and shall be applied towards the repair of the same.

Treasurer under such execution incapable, acting as treasurer after order, 5l. every offence.

IX. And be it enacted by the authority aforesaid, that every such treasurer, against whom any such execution shall be ordered to issue, shall from the time of making such order be incapable to act as treasurer of the said turnpike road; and in case he shall act as treasurer after making the said order, that he shall forfeit five pounds for every time, that he shall offend in the said office, to be recovered by civil bill at the next assizes for the said county by the first person who will first sue for the same.

by civil bill to first prosecutor.

Roads excepted.

X. Provided always, that nothing in this act contained shall extend or be construed to extend to the road from Dublin to Dunleer, from Dunleer to Dundalk, from Dundalk to Newry and Banbridge, and from Dublin to Kinnegad and Mullingar, or any of them, or the trustees appointed for the same, or to their proceedings, their treasurer, clerks, or servants, or any of them, nor to any treasurer of a county, or clerk of the peace, for or in respect of the same.

CHAP. LI.

An act for vesting a competent part of the real and personal estates of the late right honourable sir Henry Cavendish baronet deceased in trustees for discharging a debt due by the said sir Henry Cavendish to his Majesty, and for the purposes therein mentioned.

Recital.

WHEREAS the late right honourable sir Henry Cavendish baronet, deceased, was in the year one thousand seven hundred and fifty six duly appointed cashier and teller of and in his Majesty's treasury and exchequer in Ireland, and continued in the said office until his death, which happened on or about the thirty first day of December in the year one thousand seven hundred and seventy six: and whereas the said sir Henry Cavendish was at

the time of his death conſiderably indebted to his Majeſty on account of monies received by him in his ſaid office, and was alſo indebted to ſeveral perſons in large ſums of money: and whereas the ſaid ſir Henry Cavendiſh was in his lifetime and at the time of his death ſeized in fee ſimple or of the equity of redemption in fee ſimple of and in the ſeveral towns, lands, grounds, meſſuages, tenements, and hereditaments, herein after particularly mentioned, and was alſo ſeized and poſſeſſed of and intitled unto ſeveral other lands, herein alſo after mentioned, by virtue of leaſes for lives and years, and of other perſonal property; and being ſo ſeized and poſſeſſed he duly made and publiſhed his laſt will and teſtament in writing, bearing date on or about the fifth day of December in the year one thouſand ſeven hundred and ſeventy ſix, and did thereby deviſe and bequeath his lands and tenements in Great Britain, of which he was ſeized in fee ſimple, and had a power to diſpoſe, to his eldeſt ſon Henry Cavendiſh, now the right honourable ſir Henry Cavendiſh, his heirs, executors, adminiſtrators, and aſſigns, according to his ſeveral eſtates and intereſts therein, and did thereby alſo deviſe and bequeath to his ſaid ſon, his heirs, executors, adminiſtrators, and aſſigns, all his fee ſimple and unſettled eſtates in the kingdom of Ireland, his leaſehold eſtate and intereſt held under the ſee of Clogher, and all other his real and perſonal eſtate and fortune, ſubject to ſuch legacies as were therein bequeathed, and chargeable alſo with the following annuities, that is to ſay, to his wife Catherine lady Cavendiſh, ſince deceaſed, the yearly ſum of three hundred pounds, to his ſon William Cavendiſh the yearly ſum of two hundred pounds, to his daughter Anne, lady Bradſtreet, the yearly ſum of fifty pounds, to his daughter Catherine Burroughs the yearly ſum of fifty pounds, to his daughter Caroline Quin the yearly ſum of fifty pounds, to his ſiſter Elizabeth Cavendiſh the yearly ſum of ſixty pounds, reſpectively during their lives; and did give and bequeath to his ſon James Cavendiſh one thouſand pounds, which he had ſubſcribed in his name in the government tontine; and did order and direct, that all his juſt debts ſhould be paid, and did thereby conſtitute and appoint his ſaid ſon Henry Cavendiſh his ſole executor: and whereas the ſaid ſir Henry Cavendiſh proved the ſaid will in his Majeſty's court of prerogative and obtained a probate thereof: and whereas a commiſſion iſſued out of his Majeſty's ſaid court of exchequer under the ſeal thereof, bearing teſt the twelfth day of February in the eighteenth year of his preſent Majeſty's reign, directed to certain commiſſioners therein named, impowering them in manner therein

A. D. 1779-80. Chap. 51.

in mentioned to enquire whether the ſaid ſir Henry Cavendiſh was in his life time and at the time of his death indebted unto his Majeſty in any and what ſum of money, and whether the ſame, or any and what part thereof, then remained due and unpaid to his Majeſty: and whereas the ſaid commiſſioners duly executed and returned the ſaid commiſſion; and by an inquiſition indented and taken thereon on Wedneſday the twenty fifth day of March in the ſaid eighteenth year of his Majeſty's reign it was found, that the ſaid ſir Henry Cavendiſh deceaſed was in his life time and at the time of his death indebted to his Majeſty in the ſum of ſixty thouſand two hundred and eleven pounds ſeven ſhillings and two pence, and that forty three thouſand pounds two pence halfpenny thereof then remained due and unpaid to his ſaid Majeſty: and whereas the ſaid ſir Henry Cavendiſh the ſon hath ſince the taking of the ſaid inquiſition paid into his Majeſty's treaſury at different times on account of the ſaid forty three thouſand pounds two pence halfpenny the ſum of four hundred and ten pounds ten ſhillings and ten pence farthing, and there now remains due on account of the ſaid debt the ſum of forty two thouſand five hundred and eighty nine pounds nine ſhillings and four pence farthing, and no more: and whereas the ſaid ſir Henry Cavendiſh deceaſed was at the time of his death indebted to ſeveral perſons by mortgage, judgments, and other ſecurities, in ſeveral conſiderable ſums of money over and beſides the ſaid debt due to the crown: and whereas by indented deed of releaſe or mortgage, bearing date on or about the twenty eighth day of Auguſt one thouſand ſeven hundred and fifty eight, of three parts made between the right honourable Humphry earl of Laneſborough of the firſt part, the right honourable Robert late earl of Belvedere (then lord viſcount Belfield) of the ſecond part, and the ſaid late ſir Henry Cavendiſh of the third part, in conſideration of the ſum of five thouſand pounds paid by the ſaid ſir Henry Cavendiſh to the ſaid earl of Laneſborough, they the ſaid Humphry earl of Laneſborough and Robert earl of Belvedere did grant, releaſe, and confirm unto the ſaid ſir Henry Cavendiſh, and his heirs and aſſigns, all that and thoſe the towns, lands, tenements, hereditaments, and premiſes herein after mentioned, that is to ſay, Leghegare, Liſſdaſſan, Kilbrenan and Quidan, Tirrellſpaſs, Templeoran, and Garreduff, ſituate, lying, and being in the county of Weſtmeath, with their appurtenances, ſubject to a proviſo or condition in the ſaid indenture of releaſe contained on payment of the ſum of five thouſand pounds, and intereſt thereof at the rate of four pounds by the hundred by the year;

year; and for the better ſecuring the payment of the ſaid ſum of five thouſand pound and intereſt the ſaid Robert earl of Belvedere executed to the ſaid ſir Henry Cavendiſh a bond, bearing equal date with the ſaid indenture of releaſe, in the ſum of ten thouſand pounds conditioned for the payment of the ſaid ſum of five thouſand pounds and the intereſt thereof as aforeſaid, and alſo executed a warrant of attorney, bearing equal date with the ſaid bond, for confeſſing a judgment thereon for the ſaid ſum of ten thouſand pounds: and whereas John Wilcocks of the city of Dublin banker did in or as of Hillary term one thouſand ſeven hundred and fifty four obtain a judgment in the court of exchequer againſt the ſaid Robert earl of Belvedere (then lord viſcount Bellfield) for the ſum of eight thouſand pounds debt beſides coſts; which judgment was afterwards aſſigned to the ſaid late ſir Henry Cavendiſh: and whereas the ſaid ſir Henry Cavendiſh deceaſed did in or as of Trinity term one thouſand ſeven hundred and ſixty ſeven obtain a judgment in the court of exchequer againſt the ſaid earl of Belvedere for the ſum of two thouſand pounds debt beſides coſts; and the ſaid ſir Henry Cavendiſh did in or as of Trinity term in the year one thouſand ſeven hundred and ſixty nine obtain another judgment in the ſaid court againſt the ſaid earl for the ſum of four thouſand pounds debt beſides coſts: and whereas Richard Robinſon eſquire in or as of Trinity term in the year one thouſand ſeven hundred and ſixty ſeven obtained a judgment in the ſaid court of exchequer againſt the ſaid earl of Belvedere for the ſum of one thouſand pounds debt beſides coſts, which laſt mentioned judgment afterwards became veſted in Theophilus Bolton eſquire in truſt for the ſaid ſir Henry Cavendiſh: and whereas the ſaid ſir Henry Cavendiſh deceaſed did in or as of Hilary term one thouſand ſeven hundred and ſeventy five obtain three ſeparate judgments in the court of king's bench of Ireland againſt Richard Robinſon eſquire, the honourable Richard Rochfort Mervyn, and the honourable Robert Rochfort, all of the city of Dublin, each for the ſum of four hundred pounds debt beſides coſts; and the ſaid ſir Henry Cavendiſh did as of Hilary term one thouſand ſeven hundred and ſeventy five aforeſaid obtain ſeparate judgments in the ſaid court of king's bench againſt the ſaid Richard Robinſon eſquire, the honourable Richard Rochfort, and the honourable Robert Rochfort, each for the ſum of four hundred pounds debt beſides coſts: and whereas the ſaid ſir Henry Cavendiſh deceaſed did in or as of Hilary term one thouſand ſeven hundred and ſeventy ſix obtain ſeparate judgments in the ſaid court of king's bench againſt

A. D. 1779-80. Chap. 51.

John Clarke of the city of Dublin eſquire, Thomas Gough of the ſaid city eſquire, and John Clarke the younger of the ſaid city eſquire, each for the ſum of three thouſand pounds debt beſides coſts: and whereas the ſaid ſir Henry Cavendiſh deceaſed in or as of Eaſter term one thouſand ſeven hundred and ſeventy ſix obtained ſeparate judgments in the ſaid court of king's bench againſt John Clarke and Thomas Gough both of the city of Dublin each for the ſum of three hundred and forty three pounds fifteen ſhillings and eight pence halfpenny debt beſides coſts: and whereas the ſaid ſir Henry Cavendiſh deceaſed, did as of Trinity term in the year of our lord one thouſand ſeven hundred and ſixty three obtain a judgment in his Majeſty's court of exchequer in Ireland againſt Frederick Gore of the city of Dublin eſquire for the ſum of two thouſand three hundred and thirty nine pounds eleven ſhillings and eight pence ſterling debt beſides coſts: and whereas the ſaid ſir Henry Cavendiſh died ſeized in fee ſimple, of that piece of ground ſituate in Kildare ſtreet in the county of the city of Dublin, and of the towns, lands, tenements, and hereditaments, ſituate in the county of Sligo, herein after mentioned: and whereas ſeveral proceedings have been had in his Majeſty's court of exchequer in Ireland for recovering the ſaid debt or balance due to the crown: and whereas the expence and delay attending on ſuch proceedings, muſt diminiſh the ſaid eſtate of the ſaid ſir Henry Cavendiſh deceaſed: and whereas it will tend greatly to accelerate the payment of the ſaid debt due to his Majeſty and the ſaid other debts of the ſaid ſir Henry Cavendiſh, if the eſtates and effects of the ſaid ſir Henry Cavendiſh ſhall be veſted in truſtees in manner herein after mentioned: therefore at the humble petition and requeſt of the ſaid ſir Henry Cavendiſh, be it enacted by the king's moſt excellent Majeſty by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, that all that piece or parcel of ground in the ſtreet called Kildare ſtreet, containing in breadth to the weſt fronting Kildare ſtreet thirty one feet, and in breadth to the rear to the eaſt thirty one feet, and in depth from front to rear one hundred and twenty ſix feet, together with a back houſe or building and offices erected thereon, ſituate, lying, and being in the county of the city of Dublin, be the ſaid admeaſurements or any of them more or leſs, with liberty of a paſſage eleven feet wide to Kildare lane leading into St. Patrick's ſtreet Well lane; and alſo all that piece or parcel of ground in Kildare ſtreet aforeſaid,

Eſtates and effects of ſir *Henry Cavendiſh* deceaſed veſted in truſtees, the chief commiſſioners of revenue,

ſaid, containing in breadth in the front to Kildare ſtreet thirty feet, in the rear to Kildare lane the like number of thirty feet from front to rear adjoining other ground of the duke of Leinſter one hundred and ſeventy five feet, and from front to rear adjoining the ground on which the houſe, in which the late ſir Henry Cavendiſh formerly dwelt, was built, one hundred and ſeventy five feet three inches, together with one brick houſe or building and offices erected thereon, both which ſaid houſes or buildings and offices were afterwards and at the time of the deceaſe of the late ſir Henry Cavendiſh baronet occupied by the aforeſaid ſir Henry Cavendiſh baronet as one dwelling houſe, ſituate, lying, and being in the county of the ſaid city of Dublin, be the ſaid admeaſurements or any of them more or leſs, with the appurtenances; and alſo all that and thoſe the town and lands of Bunowen, Cloonegevagh, otherwiſe Cloonegavagh, otherwiſe Cloonegliveragh, Carrow M'Bryan, Caſtletown, Eaghtaraha, otherwiſe Eighteragh, Bugucarane otherwiſe Bugucarran, Cuguligan, otherwiſe Cugulegan, otherwiſe Cugubrian, Rundilliſh, otherwiſe Runedeliſh, Rathlee, Carrowpaddin, Liſaghan otherwiſe Liſkekane, otherwiſe Liſkane, Cabraghmore, Cugue, and the lands called Old Grange and Mountrevagh, otherwiſe Monrevagh, which ſaid lands of Old Grange and Mountrevagh are part and parcel and ſubdenominations of the ſaid other lands, or ſome of them, and alſo the town and lands of Rathmore, all ſituate, lying, and being in the county of Sligo, and alſo the ſaid leaſehold premiſſes in the counties of Dublin and Monaghan, and all and ſingular houſes, out houſes, edifices, buildings, barns, ſtables, dovecots, gardens, orchards, yards, lands, commons, common of paſture and turbary, tythes, oblations, obventions, ways, waters, water courſes, bogs, eaſements, liberties, privileges, profits, commodities, emoluments, advantages, hereditaments, and appurtenances whatſoever to the ſaid ſeveral towns, lands, tenements, hereditaments, and premiſes or any of them belonging or in any wiſe appertaining, and the reverſion and reverſions, remainder and remainders, yearly and other rents, iſſues, and profits thereof, and of every part and parcel thereof, ſhall from henceforth be ſettled upon and veſted in, and the ſame are hereby ſettled upon and veſted in, his Majeſty's chief commiſſioners of his revenue of exciſe and cuſtoms, and their ſucceſſors for the time being, freed and diſcharged, and abſolutely acquitted, exempted, and exonerated of, from, and againſt all and every of the uſes, eſtates, truſts, and charges in and by the ſaid will of the ſaid late ſir Henry Cavendiſh limited, created, or declared of or concerning the ſame, and off, from, and againſt all debts,

diſcharged of all uſes in the will,

debts and incumbrances,

A. D. 1779-80. Chap. 51.

debts, charges and incumbrances, affecting the eſtate of the ſaid late ſir Henry Cavendiſh, or any part thereof, and off, from, and againſt all claims and demands of the ſaid ſir Henry Cavendiſh the ſon, and of all and every perſon and perſons claiming or deriving under them or either of them; but nevertheleſs upon the truſts, and to and for the ends, intents, and purpoſes herein after expreſſed and declared of and concerning the ſame.

claims and demands of ſir *Henry* the ſon, &c. but upon truſts herein after.

II. And be it further enacted by the authority aforeſaid, that all thoſe the ſaid ſeveral towns, lands, tenements, and hereditaments herein before deſcribed and mentioned, with their and every of their rights, members, and appurtenances, and the reverſion and reverſions, remainder and remainders, yearly and other rents, iſſues, and profits thereof, and of every part and parcel thereof, and alſo all rent and arrears of rent now due out of the ſaid towns, lands, tenements, and premiſſes reſpectively, ſhall from and after the paſſing of this act be ſettled upon and veſted in, and the ſame are hereby from thenceforth ſettled upon and veſted in, the ſaid chief commiſſioners of his Majeſty's revenue of exciſe and cuſtoms and their ſucceſſors for the time being to the uſe of them, the ſaid chief commiſſioners of his Majeſty's revenue of exciſe and cuſtoms, and their ſucceſſors for the time being for ever, ſubject to ſuch right, title, or equity of redemption as the ſaid premiſſes are reſpectively ſubject or liable unto; but nevertheleſs upon the truſts and for the intents and purpoſes herein after expreſſed and declared of and concerning the ſame.

Veſted, ſubject to ſuch right or equity of redemption as liable unto.

III. And be it further enacted by the authority aforeſaid, that all arrears of rent, which are now or ſhall hereafter be due out of the ſaid reſpective towns, lands, tenements, hereditaments, and premiſes, and alſo the ſaid ſeveral herein before mentioned judgments ſo reſpectively entered up at the ſuit of or aſſigned to the ſaid late ſir Henry Cavendiſh, ſhall from henceforth be veſted in, and the ſame are hereby veſted in, the ſaid chief commiſſioners of his Majeſty's revenue of exciſe and cuſtoms, and their ſucceſſors for the time being; but nevertheleſs upon the truſts and to and for the ſeveral intents and purpoſes herein after expreſſed and declared of and concerning the ſame.

Arrears of rents, and judgments, veſted.

IV. And be it further enacted by the authority aforeſaid, that the ſaid chief commiſſioners of his Majeſty's revenue of exciſe and cuſtoms, and their ſucceſſors for the time being, ſhall ſtand, remain, and continue ſeized and poſſeſſed of the ſaid ſeveral eſtates of inheritance and freehold and chattle intereſts, hereby veſted in them as aforeſaid, upon truſt that they the ſaid chief commiſſioners

Upon truſt to ſell by any four in the whole or in parcels.

ſioners of his Majeſty's revenue of exciſe and cuſtoms, or their ſucceſſors for the time being, or any four of them; do and ſhall with all convenient ſpeed abſolutely ſell and diſpoſe thereof either in the whole or ſeparately and in parcels, or ſuch part or parts thereof as ſhall be neceſſary, to raiſe ſuch ſum and ſums of money as ſhall be ſufficient to defray the expences of paſſing this act, and the execution of the truſt hereby repoſed in them, for the moſt money or the beſt price or prices that can be reaſonably had or got for the ſame.

To call in money due by mortgages and judgments,

V. And be it further enacted by the authority aforeſaid, that the ſaid chief commiſſioners of his Majeſty's revenue of exciſe and cuſtoms, and their ſucceſſors for the time being, ſhall ſtand ſeized and poſſeſſed of the ſaid ſeveral premiſes comprized in the ſaid ſeveral recited mortgages ſo aſſigned to the ſaid late ſir Henry Cavendiſh as aforeſaid, and alſo of and in the ſaid ſeveral judgments hereby veſted, and the ſeveral ſums of money ſecured reſpectively thereby, and all intereſt and coſt now due or that ſhall hereafter grow due thereon reſpectively, upon truſt that they the ſaid chief commiſſioners and their ſucceſſors for the time being, or any four of them, do and ſhall with all convenient ſpeed call in, compell payment of, and receive the ſeveral ſums of money thereby reſpectively ſecured, or aſſign or diſpoſe thereof to ſuch perſon or perſons, as ſhall be willing to advance the ſums due thereon reſpectively.

or aſſign to lenders thereon.

First to pay expences of this act, and execution of the truſts.

VI. And be it further enacted by the authority aforeſaid, that the ſaid commiſſioners and their ſucceſſors for the time being, or any four of them, ſhall and do pay, and apply, and diſpoſe of the money ariſing by the ſale of the ſaid lands and premiſes, and from the ſaid mortgage or judgments, or otherwiſe by this act, in manner following; that is to ſay, in the firſt place to pay the coſts, charges, and expences incident to and attending upon the paſſing and obtaining of this act, and the execution of the truſts hereby in them repoſed; and in the next place to pay into his Majeſty's exchequer the ſaid debt or ſum of forty two thouſand five hundred and eighty nine pounds nine ſhillings and four pence farthing, ſo remaining due to his Majeſty as aforeſaid; and then forthwith the ſaid chief commiſſioners and their ſucceſſors for the time being ſhall convey and aſſign the reſidue and remainder of ſuch of the ſaid eſtates, meſſuages, towns, lands, tenements, hereditaments, and premiſſes, which ſhall remain unſold, for the purpoſes aforeſaid; and alſo whatever money may remain after payment of the ſaid debt ſo due to the crown to the ſaid ſir Henry Cavendiſh in truſt for and to the

next into exchequer a debt to his majeſty 42589l. 9s. 4¼d.

then to convey as by the will.

A. D. 1779-80. Chap. 51.

only uſe and behoof of ſuch perſon and perſons reſpectively, and for ſuch eſtate and eſtates, and in the ſame manner and form, as he, they, or any of them would have been intitled to the ſame under the will of the late ſir Henry Cavendiſh baronet, in caſe this act had never been made, and to and for no other uſe, intent, or purpoſe whatſoever.

Till ſale the rents and intereſt applied in ſame manner.

VII. And be it further enacted by the authority aforeſaid, that in the mean time, and until ſuch ſale or ſales can be had, and the ſaid principal debts due to the ſaid late ſir Henry Cavendiſh can be levied, that the rents, iſſues, and profits of the ſaid lands and premiſes, and intereſt and produce of the ſaid debts, ſhall be paid and applied from time to time in the ſame manner, as is herein directed of and concerning the ſums to be raiſed by the ſale of the ſaid premiſſes.

Receipts by 4 indorſed on deeds of ſale ſufficient diſcharge.

VIII. And be it further enacted by the authority aforeſaid, that the receipt or receipts of the ſaid chief commiſſioners and their ſucceſſors for the time being, or any four of them, indorſed on any deed or deeds of ſale of the premiſes hereby veſted in them, or of any part or parcel thereof, ſhall be good and ſufficient diſcharges in the law for all ſuch ſum and ſums of money, as ſhall be mentioned or expreſſed in ſuch receipt or receipts reſpectively; and ſuch purchaſer or purchaſers ſhall not be anſwerable or accountable for the application or miſapplication of the money mentioned or to be mentioned in ſuch receipt or receipts, ſigned by the ſaid truſtees or any four of them; and that all and every ſuch ſale and ſales, as ſhall be made for the purpoſes aforeſaid by the ſaid truſtees, or any four of them, of all or any part of the ſaid ſeveral meſſuages, towns, lands, tenements, hereditaments, and premiſes reſpectively, hereby veſted in them as aforeſaid, either by bargain and ſale enrolled, or by any other conveyance or aſſurance in the law, ſhall be good, valid, and effectual in the law to all intents and purpoſes whatſoever againſt all perſons whatſoever; and that ſuch purchaſer and purchaſers, his, her, and their heirs, executors, adminiſtrators, and aſſigns reſpectively ſhall hold and enjoy the ſaid ſeveral lands and premiſes, ſo by him, her, or them purchaſed, and every part thereof freed, and abſolutely diſcharged of and from all and every the uſes, eſtates, proviſoes, truſts, reverſions, limitations, charges, and incumbrances whatſoever, made, committed, or done, by the ſaid ſir Henry Cavendiſh deceaſed, or his heirs, or any perſon or perſons claiming by, from, or under him, them, or any of them.

Purchaſers not anſwerable for the application,

ſuch ſales valid againſt all.

IX. Provided

Till ſale 4 truſtees may demiſe as uſual, reſerving not leſs than preſent rents,

IX. Provided always, and be it further enacted by the authority aforeſaid, that in the mean time and until the ſaid towns, lands, meſſuages, tenements, and hereditaments hereby directed to be ſold as aforeſaid, ſhall be ſold in purſuance of this act, it ſhall and may be lawful to and for the ſaid truſtees or any four of them with the conſent of the ſaid ſir Henry Cavendiſh, his executors or adminiſtrators, to make any demiſe or leaſe, demiſes or leaſes, of all or any part or parts of the ſaid ſeveral freehold and leaſehold premiſes with the appurtenances thereto reſpectively belonging for ſuch eſtate, term, or intereſt, as the ſaid premiſes ſhall have been uſually demiſed or granted; ſo as that the rent or rents to be reſerved on any ſuch demiſe or leaſe ſhall not be leſs than the preſent rent or rents payable for or in reſpect of the ſaid premiſes; and ſo as all and every fine and fines, and ſum and ſums of money, to be had or received on the making of any ſuch leaſe or leaſes, ſhall be applied and diſpoſed of for the purpoſes of this act.

fines applied to purpoſes of this act,

Truſtees may obtain renewals of leaſes, and pay the fines.

X. Provided always, and be it further enacted by the authority aforeſaid, that it ſhall and may be lawful to and for the ſaid truſtees and their ſucceſſors, or any four of them, from time to time, as often as there ſhall be occaſion, to obtain renewals of the leaſes of the ſaid lands held under the ſaid archbiſhop of Dublin and biſhop of Clogher reſpectively, and pay out of the funds hereby veſted in them the fines, which may become payable on ſuch renewals; and that ſuch renewals when obtained ſhall be and enure to and for the ſeveral uſes, intents, and purpoſes aforeſaid, and to and for no other uſe, intent, or purpoſe whatſoever.

Suits in name of ſir *Henry* the ſon continued.

XI. Provided nevertheleſs, and be it further enacted by the authority aforeſaid, that this act, or any thing herein contained, ſhall not cauſe an abatement, diſcontinuance, or ſuſpenſion of any ſuit or ſuits commenced or carried on by or in the name of the ſaid ſir Henry Cavendiſh the ſon for getting in or recovering of the ſaid ſeveral debts or ſums of money due or owing to the eſtate of the late ſir Henry Cavendiſh on or by virtue of the ſaid ſeveral herein before recited mortgages or ſecurities, or any of them; but that all and every ſuch ſuit and ſuits ſhall and may be continued, carried on, and proſecuted under the direction of the ſaid truſtees and their ſucceſſors, or any four of them, either in their own names or in the name of the ſaid ſir Henry Cavendiſh, but ſo nevertheleſs as that the monies to be recovered in any ſuch ſuit or ſuits ſhall be paid, applied, and diſpoſed of for the purpoſes of this act.

XII. Provided

A. D. 1779-80. Chap. 51.

Not to ſell premiſes in *Monaghan* before 6th *Auguſt*, 1784, unleſs with conſent of ſir *Henry*, or other funds not ſufficient.

XII. Provided always, that the ſaid truſtees ſhall not ſell or diſpoſe of the ſaid premiſes ſituate and being in the ſaid county of Monaghan, or any part thereof, before the ſixth day of Auguſt in the year one thouſand ſeven hundred and eighty four, unleſs with the conſent of the ſaid ſir Henry Cavendiſh, his executors or adminiſtrators, or unleſs it ſhall appear to the ſaid truſtees for the time being, that the other funds, veſted under or by virtue of this act, ſhall not be ſufficient to pay and diſcharge the ſaid ſum of forty two thouſand five hundred and eighty nine pounds nine ſhillings and four pence farthing, and ſuch coſts, charges, and expences as aforeſaid, without ſale of the ſaid premiſes in the ſaid county of Monaghan.

Not anſwerable for each other,

XIII. And be it further enacted by the authority aforeſaid, that the ſaid chief commiſſioners and their ſucceſſors ſhall not, nor ſhall any of them, be anſwerable or accountable for any money to be received by virtue of this act, or under the truſts hereby repoſed in them, any otherwiſe than each perſon for ſuch ſum and ſums of money as he ſhall actually receive; and that no one of them ſhall be anſwerable or accountable for the other or others of them, or for the acts, receipts, neglects, or defaults of the other or others of them, but each and every of them for his own acts, receipts, neglects, or defaults reſpectively; neither ſhall they or any of them be anſwerable or accountable for any misfortune, loſs, or damage, which may happen in the execution of any of the aforeſaid truſts or in relation thereto, unleſs the ſame ſhall happen by or through his or their own wilful defaults reſpectively; and alſo that they the ſaid truſtees and their ſucceſſors, or any four of them, ſhall and may with and out of ſuch monies, as ſhall come to their reſpective hands by virtue of the aforeſaid truſts, deduct and retain, and reimburſe himſelf and themſelves reſpectively, all coſts, charges, damages, and expences, which they, or either, or any of them, ſhall or may ſuffer, ſuſtain, expend, diſburſe, be at, or be put unto, in the execution of any of the aforeſaid truſts.

nor for loſs, unleſs wilfull default,

may reimburſe themſelves,

A publick act,

XIV. And be it enacted by the authority aforeſaid, that this act ſhall be deemed, taken, and allowed in all courts within this kingdom as a publick act, and all judges are hereby required as ſuch to take notice thereof without ſpecially pleading the ſame;

ſaving.

ſaving nevertheleſs to the king's moſt excellent Majeſty, his heirs and ſucceſſors, and to all perſons claiming under a mortgage, made by the ſaid ſir Henry Cavendiſh deceaſed, of the ſaid lands in Sligo to certain perſons as truſtees for colonel Nathaniel Haywood and his family, and alſo to all perſons claiming under a certain

certain other mortgage, made by the ſaid Sir Henry Cavendiſh deceaſed, of the ſaid leaſehold intereſt in the county of Monaghan, to the late George Cockburne eſquire, and to all other perſons, bodies politick and corporate, their reſpective heirs, ſucceſſors, executors, and adminiſtrators, other than and except the other creditors, and the annuitants and legatees, of the ſaid Sir Henry Cavendiſh deceaſed, and all other perſons deriving under the ſaid late Sir Henry Cavendiſh, all ſuch right, title, eſtate, and intereſt, both in law and equity, as they or any of them had, could, might, or ought to have of, in, to, or out of all or any of the ſaid meſſuages, towns, lands, tenements, hereditaments, and premiſes in or by this act veſted and ſettled for the purpoſes aforeſaid, as fully to all intents and purpoſes as if this act had never been made; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

S. & H. W. C.

The END of the ELEVENTH VOLUME.